

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CR No.4585 of 2016

Date of Decision: 23.07.2016

Sukhwinder Singh

.....Petitioner

Versus

Mohinder Gupta

....Respondent

CORAM: HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

DARSHAN SINGH, J (ORAL)

The present revision petition has been preferred against the order dated 11.07.2016, vide which the application moved by the petitioner under Order 7 Rule 11 Code of Civil Procedure, 1908, for rejection of plaint on the ground of deficient Court fee, has been dismissed.

2. Learned counsel for the petitioner relied upon the notification dated 10.09.2009, which provides that the Court fee leviable shall be Rs.25 for each Rs.500/- or part thereof, if the subject matter of the suit exceeds Rs.75 lacs. The learned trial Court has dismissed the application relying upon the notification dated 24.12.2009, which provides that if the subject matter of the suit is more than Rs.75 lacs then the prescribed Court fee shall be Rs.2,06,300/- plus Rs.25 for every Rs.5000/- or part thereof in excess of that.

3. Learned counsel for the petitioner has contended that the notifications dated 10.09.2009 and 24.12.2009 bear the same number and

are contradictory to each other. But this plea cannot advance the case of the petitioner as Hindi is the State language in Haryana. The Gazette notification dated December 24, 2009 published in Haryana Government Gazette (Extra.) December 24, 2009, relied upon by the learned trial Court is in Hindi, which is the later notification on the subject. As per the later notification dated December 24, 2009 there is no infirmity in the valuation of the suit for the purpose of Court fee.

4. So, the present revision petition is without any merit and the same is hereby dismissed.

[DARSHAN SINGH]
JUDGE

23.07.2016

Vinay