

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.6311 of 2015

Date of Decision.18.01.2016

Kuldeep Singh

.....Petitioner

Vs.

Amarjit Kaur and others

.....Respondents

Present: Mr. G.S. Sidhu, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The revision petition is wholly without merit. The suit was filed for execution of the sale deed by the plaintiff of which he was not himself a party and for the relief of recovery of possession which he has made, he has paid the Court fee on the basis of assessment to the revenue at ten times the revenue in the manner required under the Court Fee Act.

2. The objection by the defendant-revision petitioner before this Court is that for the recovery of possession the court fee has to be made on the market value. It is wrong argument, for the Court fee Act provides for manner of assessment of value which are assessed to revenue and the market value there for the purpose of court fee will be only ten times the revenue assessed. In a situation where the plaintiff is not even the executant of the sale deed, it is not required to be set aside and if there is such a prayer it is a euphemism for being considered as

the plaintiff being not bound by such a transaction.

3. The order passed is appropriate and correct and there is no scope for interference. The revision petition is dismissed.

(K. KANNAN)
JUDGE

January 18, 2016
Pankaj*