

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Civil Revision No.6548 of 2016

Date of Decision: September 30<sup>th</sup>, 2016

M/s S.K.G.Buildcon Pvt.Ltd., Gurgaon

...Petitioner

Versus

Khajan Singh & others

...Respondents

**CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE**

Present: Mr.Ajay Jain, Advocate,  
for the petitioner.

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**AMIT RAWAL, J.**

Petitioner-plaintiff is aggrieved of the impugned order, whereby he has been called upon to pay *ad valorem* court fees on the sale consideration of Rs.17,18,75,000/- till 5.10.2016.

Mr.Ajay Jain, learned counsel for the petitioner-plaintiff submits that as per the amendment caused in the Court Fee Act, 1870 in its applicability to the State of Haryana vide Act No.22 of 1974, the Court below, while deciding the issue, should have directed the petitioner to pay the court fees not on the sale consideration but ten times of the land revenue. The said amendment has been upheld by the Single Bench of this Court in **Beena & others Versus Rajinder Kumar and others, 2006 (2) R.C.R.(Civil) 449** and, thus, the order under challenge is not sustainable in the eyes of law.

I have heard the learned counsel for the petitioner-plaintiff, appraised the paper book and of the view that the aforementioned judgment

is not applicable to the present case as the issue with regard to court fees came to be debated by the Division Bench of this Court in **Minder and others Versus State of Haryana and others, 2014 (3) R.C.R. (Civil) 563,** wherein this Court has discussed the aforementioned notification caused in the Amendment Act and relied upon the judgment of the Hon'ble Supreme Court in **Suhrid Singh @ Sardol Singh Versus Randhir Singh, 2010 (2) R.C.R. (Civil) 564** holding that if the person is executant of the sale deed, he is liable to pay the *ad valorem* court fees. Precisely what has been done by the Court below and, therefore, no ground for interference is made out.

Revision petition stands dismissed.

**September 30<sup>th</sup>, 2016**  
**ramesh**

**( AMIT RAWAL )**  
**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable:**

**Yes/No**