

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

C.R. No.664 of 2016
Date of Decision.03.02.2016

Shahnaz HusainPetitioner
Vs.

Shamima MajidRespondent

Present: Mr. S.K. Daaria, 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. There is no merit for a person to contend that he has put up construction on the agricultural land and therefore, property cannot be treated as agricultural land. The consideration taken by the Court was that it was classified in the revenue records as cultivable land and a mere manner of enjoyment of the property cannot be a ground for assessing the market value of the property and pay ad valorem court fee thereon. The court fee will always be required to be made only on the manner of assessment of the property in the revenue record and if it is not a house site and an agricultural land to put to use for non-agricultural purpose, it is immaterial for the purpose of court fee. The decision taken by the court below is correct. The counsel refers to a judgment of this Court in **Surjit Kaur Vs. Tej Kaur and others 2015(1) PLR 750**. This judgment will not apply in a situation where the property is stated to be a non-agricultural land. It makes no difference that the

proeprty is not used as an agricultural land.

2. There is no scope for interference. The revision petition is dismissed.

(K. KANNAN)
JUDGE

January 03, 2016
Pankaj*