

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

**CR No.6945 of 2013
Date of Decision: 20.09.2016**

**Sadhana Kalia
Vs**

.....Petitioner

Sharon Kalia

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.K. Agnihotri, Advocate
for the petitioner.

Mr. Sandeep Sharma, Advocate and
Mr. Gaurav Kamboj, Advocate and
Mr. Prince Ravish, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(Oral)

[1]. In this revision petition, order dated 13.09.2013 passed by Civil Judge (Junior Division), Gurgaon has been assailed vide which application under Order 7 Rule 11 read with Section 151 CPC filed by the defendant was allowed, directing the plaintiff to deposit the *ad valorem* court fee on or before certain date.

[2]. During the course of arguments, both the learned counsel for the parties are *ad idem* that the issue regarding court fee can be decided along with other issues at the time of

conclusion of the suit.

[3]. In view of consensus arrived at between the parties, it would be just and appropriate to direct the trial Court to decide the suit on merits. Issue of court fee would also be decided along with other issues at the relevant stage. Till decision of the suit on merits, payment of court fee may not be insisted upon.

[4]. In view of aforesaid, this revision petition is disposed of. Trial Court shall make every endeavour to decide the suit as early as possible.

September 20, 2016

Prince

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No