

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

C.R. No.8920 of 2015 (O&M)

Date of Decision.06.01.2016

Ashok Kumar Jain

.....Petitioner

Vs.

Sukhwant Singh and others

.....Respondents

Present: Mr. Harish Chhabra, 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?

-.-

K. KANNAN J. (ORAL)

1. The petitioner contends that court fee paid on the plaint was originally ₹10/- and subsequently another ₹20,000/- had been paid. The actual court fee payable is in the order of ₹50,000/-. The Court has wrongly stated that the court fee has already been paid. Having regard to the objection taken, the order passed is subject to a modification that the court will decide on the adequacy of court fee keeping in view the objections taken by the defendant and assess the correctness of its own observations made already. If there is a deficit court fee which is still due and payable, it shall call upon the plaintiff to pay the deficit court fee and if there is any delay, the issue of whether such a delay could be condoned or not, will be considered in the light of express provisions under Section 149 CPC.

2. The civil revision is disposed of with the above observations.

**(K. KANNAN)
JUDGE**

January 06, 2016
Pankaj*