

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

CR-2005-2015 (O&M)
Date of decision: 01.09.2017

SURENDER

...Petitioners

Versus

DHANWATI DEVI AND ANR

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

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

Mr. Gopal Sharma, Advocate
for respondent No.2.

REKHA MITTAL, J. (Oral)

The present petition directs challenge against order dated 19.02.2015 (Annexure P-5) passed by the Civil Judge (Junior Division), Rewari whereby application filed by Smt. Santosh Devi (respondent No.2) under Order 7 Rule 11 of the Code of Civil Procedure (in short 'the Code') for rejection of plaint for want of payment of ad valorem court fee has been allowed and the petitioner/plaintiff has been directed to pay ad valorem court fee till the next date of hearing.

The petitioner is the executant of sale deed bearing vasika No.3791 dated 27.08.2010 which is sought to be set aside/cancelled. The petitioner is liable to pay advalorem court fee on the sale consideration of vasika No.3791 dated 27.08.2010 and the controversy in this regard is

squarely covered by the judgment of this Court passed in CR No.7569 of 2015 decided on 04.08.2016.

With the aforesaid observations, the present petition is disposed of. On request made by counsel for the petitioner, petitioner is allowed one month's time to pay the Court fee in pursuance of the order passed by this Court.

01.09.2017
Paramjit Kaur/ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No