

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

**CR-1776-2017 (O & M)
Date of decision: 10.03.2017**

Subodh Kumar and ors.

.... Petitioner

V/s

Kiran Rani

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Daman Dhir, Advocate, for the petitioner.

Rajan Gupta, J. (Oral)

Present revision petition is directed against the order dated 03.10.2016 passed by the court below rejecting the application moved by the defendant-petitioner under Order 7 Rule 11 CPC wherein plea was taken that deficient court-fee has been affixed by the plaintiff.

It has been urged before the court that value of the property is much higher in the area in which it is situated. The plaintiff by undervaluing the same, has affixed lower amount as court-fee of Rs. 8850/-.

This court is not inclined to interfere in the revisional jurisdiction. Trial court shall, however, be at liberty to frame an issue regarding the court-fee payable in the case. Needless to observe that in case it comes to the conclusion that the suit has been undervalued, it shall direct payment of additional court fee at the appropriate stage.

Disposed of.

March 10, 2017
sukhpreet

**(RAJAN GUPTA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No