

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

CR No.3801 of 2017
Date of decision : 29.08.2017

Gurdip Singh and another

...Petitioners

Versus

Ranjit Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aayush Gupta, Advocate for the petitioners.

Mr. G.S. Punia, Sr. Advocate with
Mr. P.S. Punia, Advocate for the respondents.

ANIL KSHETARPAL, J. (ORAL)

This revision petition is filed by the defendants against the dismissal of the application filed under Order 7 Rule 11 CPC.

The defendants had filed an application on the ground that proper court fee has not been affixed. The aforesaid application was ordered to be dismissed. As per the judgment of the Hon'ble Supreme Court of India reported as *AIR 1961 SC 1299*, no revision or appeal is maintainable at the behest of the defendants. Therefore, this revision petition is held to be not maintainable.

However, defendants would be at liberty to take such objections in the written statement and pray for framing of the appropriate issues.

Revision petition is disposed of.

29.08.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No