

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

135

**CR No.4173 of 2017 (O&M)
Date of decision: 23.08.2017**

Kartar Singh

..... Petitioner

Versus

Kamaljit Kaur Mann and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Binderjit Singh, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Defendant-petitioner has filed this revision petition against the order dated 23.01.2017 dismissing the application filed by the defendant under Order 7 Rule 11, CPC to reject the plaint on the ground that the plaintiff has failed to affix proper Court fee.

The aforesaid revision is not maintainable in view of the judgment passed by the Hon'ble Supreme Court of India reported as *AIR 1961, SC, 1299 titled Rathnavarmaraja Vs. Smt. Vimla.* It has been held by the Hon'ble Supreme Court that no appeal or revision is maintainable at the behest of the defendant.

In view thereof, revision petition is held to be not maintainable.

Dismissed.

**(ANIL KSHETARPAL)
JUDGE**

23.08.2017
Dinesh Bansal

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No