

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

(135)

CR-4248-2017

Decided on: July 13, 2017.

Parmod

.... Petitioner

Versus

Naveen Kumari and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Naresh Kumar, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Learned counsel for the petitioner relies upon judgment in **Paramjit Kaur @ Pami and another Vs. Mohinder Singh and others, 2011 (2) PLR 438** wherein the plaintiff had not prayed for cancellation of the sale deed as such it was held that Court fee was not payable under Section 7 (iv) (c) of the Court Fee Act but in the present case the petitioner has specifically sought the setting aside of the sale deed dated 18.07.2016 which is a registered document.

No ground is made out for setting aside the order passed under Order 7 Rule 11 CPC requiring the petitioner to make good deficiency of the Court fee.

The petition is dismissed.

However, it will be open to the petitioner to move an application under Section 149 CPC for extension of time to pay the Court fee.

**(M.M.S. BEDI)
JUDGE**

July 13, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No