

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

CR No.8523 of 2017
Date of decision : 06.12.2017

Gurcharan Singh

...Petitioner

Versus

Manjit Kaur @ Beero and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arunjeet Singh Kakkar, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner is in the revision petition against the order dated 01.08.2017 passed by the Additional District Judge, Bathinda.

The suit filed by the plaintiff for specific performance of the agreement to sell was dismissed by the Court. The plaintiff filed an appeal. The appeal was dismissed on the ground that the petitioner has failed to make up the deficiency in the Court fees after availing number of opportunities.

Learned counsel for the petitioner at the outset has submitted that the petitioner has now arranged the amount and is ready to make up the deficiency in the Court fees.

The effort of the Court should always be to allow the case to be decided on merits. Therefore, this Court is of the considered opinion that the petitioner-appellant should be granted opportunity to make up the

deficiency in the Court fees.

Revision petition is allowed.

The petitioner is granted 15 days time to deposit the Court fees.

Since, this revision petition has been allowed without issuing notice to the respondents, therefore, respondents shall be at liberty to move an application for recall of the order, if they feel aggrieved.

06.12.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No