

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

154

CR No.8719 of 2017
Date of decision: 12.12.2017

Harbhajan Kaur

..... Petitioner

Versus

Jagroop Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Munish Gupta, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in the revision petition against the order passed by learned trial Court directing the plaintiff to affix ad-valorem Court fee. It is not in dispute that the plaintiff is an executant of the transfer deed dated 12.03.2014. He is seeking cancellation thereof. Learned trial Court after considering all the aspects of the matter had directed the plaintiff to pay ad-valorem Court fee.

It is settled proposition of law that if an executant wants to challenge and seek cancellation of a transfer deed, he is required to pay ad valorem Court fee. Reference in this regard can be made to the Full Bench judgment of this Court rendered in Niranjan Kaur Vs. Nirbigan Kaur, 1981 PLJ, 423. Reference in this regard can further be made to the judgment of the Hon'ble Division Bench in the case of Tarsem Singh and others Vs. Vinod Kumar and others, 2011(31), RCR (Civil), 709.

Learned counsel for the petitioner has submitted that as per the orders passed by the trial Court, the Court fee was required to be deposited by 13.11.2017. He prays that time for payment of the Court fee be extended.

Taking into consideration the aforesaid facts while dismissing the revision petition, plaintiff-petitioner is granted two months time from today to pay the Court fee.

Revision petition is dismissed.

12.12.2017
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No