

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

116

**CR No.2122 of 2017 (O&M)
Date of decision: 14.03.2018**

Duli Chand

..... Petitioner

Versus

Jagdish and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. J.S. Yadav, Advocate
for the petitioner.

Mr. R.N. Lohan, Advocate, for
Mr. K.S. Yadav, Advocate
for respondents No.1 and 6.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in the revision petition against the order passed by the learned trial Court directing payment of ad valorem Court fee for relief of possession with respect to agriculture land. Learned trial Court has overlooked the amendment brought in the State of Haryana vide Haryana Act No.11 of 1974 which was further amended by Act No.22 of 1974. As per the aforesaid amendment, the relief of possession with respect to the agriculture land, the Court fee is not payable as per the market value but is to be determined on the basis of local amendment.

In view thereof, the order under challenge is set aside. The plaintiff-petitioner would be liable to pay Court fee as per the State amendment carried out in the Court Fee Act, 1870. The deficiency, if any, be made good within a period of 15 days from the date of receipt of a certified copy of this order.

Revision petition is allowed.

14.03.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No