

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

Civil Revision No.299 of 2018(O&M)

Date of Order: 20.02.2018

AMARJIT KAUR (DECEASED) THRO LR

..Petitioner

Versus

AVTAR SINGH AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jagdish Singh Mahal, Advocate,
for the petitioner

ANIL KSHETARPAL, J (Oral)

The order passed by the learned first appellate court dismissing the appeal on the ground that deficiency in the requisite court fee has not been made paid/deposited, is challenged in this revision petition.

Counsel for the petitioner has pointed out that the learned court found on 19.09.2017 that requisite court fee has not been affixed. The court only granted 3 days adjournment and thereafter passed the order.

Learned counsel submits that the petitioner is ready to pay the court fee, however, the time granted by the first appellate court was not sufficient.

Taking into consideration these facts, the order passed on 22.09.2017, is set aside. Petitioner is granted 15 days time to deposit the requisite court fee.

Since the order has been passed without issuing any notice, therefore, the respondents would be at liberty to move an application for recall, if they feel aggrieved.

February, 20, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

YES/NO

Whether reportable

YES/NO