

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

214

**CR No.4182 of 2014
Date of decision: 25.04.2018**

Karam Singh

..... Petitioner

Versus

Dharam Singh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. R.S. Mamli, Advocate for the petitioner.

Mr. Yogesh Saini, Advocate for the respondents.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in the revision petition against the order dated 06.05.2014 directing the petitioner to affix ad valorem Court fee.

It is not in dispute that the plaintiff-petitioner is alleged to have executed a gift deed through Attorney which is sought to be cancelled. The plaintiff has also prayed for relief of possession.

The executant who seeks cancellation of the registered instrument is required to affix ad valorem Court fee while filing a suit for cancellation. Such suit would be governed by Article 1 of Schedule I attached to the Court Fee Act. This issue has been conclusively decided by the Full Bench of this Court in the judgment reported as Niranjan Kaur Vs. Nirbigan Kaur, 1981, PLJ 423.

In view thereof, there is no ground to interfere with the order passed by the learned trial Court.

Revision petition is dismissed.

**(ANIL KSHETARPAL)
JUDGE**

25.04.2018

Dinesh Bansal

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No