

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CR No.4527 of 2017
Date of decision: 19.04.2018

Sanjay Jindal and others

..... Petitioners

Versus

Parsvnath Developers Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None for the petitioners.

Mr. Varun Sharma, Advocate, for
Mr. Ashwani Talwar, Advocate
for respondent No.1.

Mr. Ankush Chowdhary, Advocate
for respondent No.4.

ANIL KSHETARPAL, J. (ORAL)

Learned counsel for the petitioners is not present although, the case has been called twice. Learned counsel for the petitioners has not been appearing for the last three hearings. In this situation, this Court is left with no choice but to read and decide the case.

Plaintiffs-petitioners are in the revision petition against the order passed by the learned trial Court directing payment of ad valorem Court fee on the market value of the property. A careful reading of the plaint shows that although the plaintiffs are not the executant of the transfer deed dated 09.04.2012 which is sought to be declared as null, void and not binding on the plaintiffs, however, the plaintiffs have sought relief of delivery of actual physical possession of the property. The property in

dispute is a flat situated in Gurgaon. In such a situation, the learned trial Court has ordered that the plaintiffs are required to affix the ad valorem Court fee on the value of the property. The conclusion drawn by the learned trial Court is in accordance with the provisions of the Court Fee Act.

However, taking into consideration the fact that 30 days period was granted to the plaintiffs to affix the ad valorem Court fee, has already elapsed, therefore, the plaintiffs-petitioners are granted two more months time to pay the ad valorem Court fee on the value of the property.

Revision petition is dismissed.

19.04.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

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