

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 117

CR-5329-2018

Date of decision : 29.08.2018

Gurdev Singh

..... Petitioner

VERSUS

Karamjit Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J. S. Mundi, Advocate, for the petitioner.

DEEPAK SIBAL, J. (ORAL)

The present petition is directed against the order dated 11.07.2017, passed by the Additional Civil Judge (Senior Division), Malerkotla (for short, the Trial Court), dismissing the petitioner's suit by invoking Order 9 Rule 2 CPC for having not deposited the applicable *ad valorem* Court fee.

At the very outset, learned counsel for the petitioner submits that the applicable *ad valorem* Court fee could not be deposited by the petitioner on account of his old age and poor financial condition and that he has express instructions from the petitioner that the applicable *ad valorem* Court fee shall be deposited with the Trial Court within two weeks from today.

In view of the above, subject to the petitioner depositing applicable *ad valorem* Court fee before the Trial Court within two weeks from today, the impugned order is set aside and the Trial Court is directed to proceed with the matter in accordance with law.

If the respondents are aggrieved by this order, they are at liberty to approach this Court through an appropriate application.

29.08.2018
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No