

It comes out that plaintiff has filed a suit for permanent injunction, in which he claimed one half share on the basis of facts stated in the petition. It is also stated that most of the land has been acquired by the Government. He further claimed that since they are owner of one half share, they are also entitled to compensation as per their share. Though before the lower Court, application for rejection of plaint was filed on the ground that ad valorem court fee has not been paid and also on the ground of limitation, but before this Court, instant revision has been pressed on the ground that ad valorem court fee is not paid.

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Heard.

I am of the view that trial Court has rightly held that plaintiff seeks declaration of title. Major part of land is acquired by the Government. If the declaration is granted, then compensation will automatically go to him. It is not a suit for recovery as is sought to be projected, Consequently, instant revision is dismissed.

(KULDIP SINGH)
JUDGE

19.2.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No