

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

120

**CR No.6652 of 2017 (O&M)
Date of decision: 26.02.2018**

Harjit Singh

..... Petitioner

Versus

Jaswinder Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Prateek Sodhi, Advocate
for the petitioner.

Ms. Puja Chopra, Advocate
for respondents No.4 to 7.

ANIL KSHETARPAL, J. (ORAL)

Plaintiff-petitioner is in revision petition against the order passed by the learned trial Court directing payment of ad-valorem Court fee on the amount of sale consideration mentioned in the sale deed. Learned trial Court has noticed that the plaintiff is non-executant. However, the Court has held that ad-valorem Court fee is payable on the relief of joint possession.

It is not disputed before this Court that the property in dispute is a agriculture land. There is a local amendment in the Stamp Act which provide that in a suit for possession with respect to agriculture land, the Court fee is not payable on the market value. It is assessed keeping in land revenue payable.

In view thereof, the order under challenge is set aside and the plaintiff shall be required to affix the Court fee as per the State amendment in the Stamp Act.

Revision petition is allowed.

26.02.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No