

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.7275 of 2016

Date of Decision: 10.01.2018

Amarjit Kaur

... Petitioner

Versus

Balkaran Singh

... Respondent

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present: Mr. Munich Raj Choudhary, Advocate,  
for the petitioner.

Mr. B.S. Aulakh, Advocate,  
for the respondent.

**HARI PAL VERMA, J.(Oral)**

The petitioner has filed the present revision petition for setting aside the order dated 31.05.2016 passed by learned Additional District Judge, Sri Muktsar Sahib, whereby her appeal against the judgment and decree dated 21.10.2015 passed by the Additional Civil Judge (Senior Division), Malout was dismissed. The appeal was dismissed only on the ground that despite there having been granted three different opportunities, including the last opportunity, the petitioner had failed to deposit the court fee.

Learned counsel for the respondent-decree holder has pointed out that the intention of the petitioner was to delay the payment/execution proceedings. Earlier an ex parte decree order was passed on 30.10.2012 by the Civil Court against the defendant. However, in appeal the said decree was set aside and as a consequence thereof, the trial court has considered the evidence so adduced by the parties. Resultantly, the Civil Court has passed a judgment and decree dated 21.10.2015. As per the said decree, the plaintiff-respondent was held entitled to recover an amount of Rs.3.00 lacs along with

interest @ 6% till its realization.

I have heard learned counsel for the parties.

Considering the fact that the petitioner has failed to deposit the Court fee despite having been granted numerous opportunities including the last opportunity, no ground is made out to interfere.

Dismissed.

10.01.2018  
monika

(HARI PAL VERMA)  
JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |