

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

C.R. No.9185 of 2017

Date of Decision.01.11.2018

Mandeep Kaur

.....Petitioner

Vs

Kulwinder Singh and others

...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

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AMIT RAWAL J. (ORAL)

The petitioner has assailed the impugned order dated 8.9.2017 whereby the application for rejection of plaint on account of non-payment of ad valorem court fee in the suit claiming joint possession of land measuring 12 kanals 18 ½ marlas was disposed of and the petitioner-plaintiff was directed to make good the deficiency of court fee.

Learned counsel for petitioner submitted that the Court below ought not to have disposed of the application by relying upon the Gazette Notification dated 7.1.2010 causing amendment by the Haryana Government in the Court Fee Act whereas it should have been ad valorem court fee.

I am afraid aforementioned argument of Mr. Sharma is not sustainable, for, as per the Court Fees (Punjab Second Amendment Act), 2009, in a suit filed for seeking declaration of title as a co-parcener, fee has been fixed as ₹500/-.

In view of the aforementioned fact, I do not find any

illegality in the order passed by the Court below, much less, the same cannot be said to be passed without jurisdiction.

The revision petition is dismissed.

(AMIT RAWAL)
JUDGE

November 01, 2018
Pankaj*

Whether Reasoned/Speaking Yes/No

Whether Reportable Yes/No