

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

**C.R No. 5743 of 2019
Date of decision:- 13.09.2019**

Jaimal Singh

...Petitioner

Versus

Joginder Singh and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. T.P. Singh, Advocate
for the petitioner.

RITU BAHRI J. (Oral)

The present petition under Article 227 of the Constitution of India is for setting aside order dated 18.04.2019 (P-4) whereby application filed by the petitioner-defendant under Order 7 Rule 11 CPC for rejection of the plaint, has been dismissed.

A bare perusal of the impugned order shows that the application of the petitioner has been dismissed in view of judgment ***Rambaj vs. Kapoori and another, 2014 (4) RCR (Civil) 376***. It has been held that it is a settled law that where the plaintiffs are not seeking possession and challenging the sale deed on the ground that the same was obtained by fraud, they are not required to pay ad valorem Court fee.

The impugned order dated 18.04.2019 (P-4) does not suffer from any infirmity or illegality.

The revision petition stands dismissed.

13.09.2019

G Arora

***Whether speaking/reasoned
Whether reportable***

***Yes
No***

**(RITU BAHRI)
JUDGE**