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

CR No. 5173 of 2019 (O&M)
Date of Decision: 10.09.2019

Dinesh Kumar

-Petitioner

Vs

Rajwanti and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sandeep Singh, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Admittedly, petitioner is the executant of the sale deed who seeks to challenge the sale deed dated 10.06.2015 executed in favour of defendant No.1.

Petitioner has laid challenge to the aforesaid sale deed on the ground of fraud as nothing was paid.

Evidently, petitioner was the executant of the sale deed and he is required to affix the Court fee on the basis of consideration shown in the instrument as per first principle of **Suhrid Singh @ Sardool Singh Vs. Randhir Singh and others, 2010(2) RCR (Civil) 564.**

Challenge on the basis of fraud would not absolve the petitioner to affix the Court fee in view of **Civil Appeal No.8880**

of 2015 arising out of **SLP(C) No.16313 of 2015** titled '**M/s Omax Construction Ltd. Vs. Dharam Singh and others**' decided on 26.10.2015, vide which judgment of this Court in **CR No.4067 of 2012** titled '**Dharam Singh and others Vs. M/s Omax Construction Ltd.**' decided on 12.03.2015 was reversed.

In view of aforesaid legal position, no indulgence can be granted in this revision petition.

This revision petition is accordingly, dismissed.

10.09.2019
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No