

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-5218-2017(O&M)

Date of decision: 07.01.2020

Veeran Bai and another

.....Petitioners

Versus

Karamjeet Kaur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.B.S.Mittal, Advocate for the petitioners

Mr. Tarun Sharma, Advocate for

Mr. P.S.Jammu, Advocate for respondents

ANIL KSHETARPAL, J. (ORAL)

Plaintiffs-petitioners alongwith Karamjeet Kaur had purchased a land measuring 21 kanals 6 marlas through a registered sale deed dated 15.5.2006 from Satnam Singh. Now plaintiffs namely Veeran Bai and Parkash Devi have filed a suit for declaration to the effect that name of Karamjeet Kaur has been wrongly added and sale deed qua her is required to be cancelled and a declaration be granted that the entire property was purchased by them as they had paid the entire sale consideration.

Learned Trial Court on appreciation of facts has found that ad valorem Court fee on the sale consideration mentioned in the sale deed is required to be paid as the plaintiffs are in fact praying for cancellation of sale deed qua Karamjeet Kaur.

It is also undisputed that during the pendency of the suit

plaintiffs have amended the suit and sought relief of possession qua some part of the property i.e 2 kanals 8 marlas.

Keeping in view the fact that the prayer made in the suit, although, cleverly drafted, amounts to cancellation of the sale deed qua Karamjeet Kaur, one of the vendees in the suit alongwith the plaintiffs (co-vendees), the Court has rightly held that plaintiffs are liable to pay ad valorem Court fee on the sale consideration. Hence, no ground to interfere is made out.

Dismissed.

07.01.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)**JUDGE**

Yes / No

Yes / No