

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO.1188 OF 2021

VASANTRAO PANDITRAO DESHMUKH
VERSUS
KUNDAN VASANTRAO DESHMUKH AND OTHERS

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Advocate for Petitioner : Mr. G.B. Kingre.

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CORAM : V. K. JADHAV, J.

DATE : 28.01.2021

PER COURT :-

1. The petitioner is the original plaintiff filed an application Exh.44 in Regular Civil Suit No.261 of 2017 praying therein to allow him to deposit the Court fees as per the valuation dated 20.03.2018. By order dated 19.12.2019, the Court has directed the office of the Sub Registrar to carry out the valuation of the suit property and submit the report. Thus, by communication dated 03.01.2020, the Sub Registrar, Aurangabad has submitted the valuation report before the Court and the valuation comes to Rs.46,55,960/- (Rupees Forty Six Lacs Fifty Five Thousand Nine Hundred and Sixty only). Though the petitioner has placed on record the valuation, as per valuation report dated 20.03.2018, however, on perusal of

the same, it appears that though the area of the open space is correctly mentioned, however, the constructed area has been valued randomly.

2. In view of the same, I do not find any fault in the impugned order passed by the 7th Joint Civil Judge Senior Division, Aurangabad, dated 18.02.2020 directing the petitioner / plaintiff to pay court fees as per the valuation report dated 03.01.2020.

3. There is no substance in this Writ Petition. Hence, the Writ Petition is dismissed.

(V. K. JADHAV, J.)

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vmk/-