

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.2644 of 2021(O&M)
Date of Decision: 08.11.2021

Roshani Devi and Another

..... Petitioners

V/s.

Ajaydar Hussain and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vikram Singh, Advocate
for the petitioners.

Raj Mohan Singh, J. (Oral)

The present petition has been filed under Articles 227 of the Constitution of India for setting aside the order dated 20.09.2021 (Annexure P2) passed by the Additional Civil Judge (Sr. Division), Indri, Karnal.

The application filed under Order 7 Rule 11, CPC filed by the defendants-petitioners has been rejected on the premise that the plaintiff, being non-executant of the sale deed and in possession of the property in question, is not required to affix *ad valorem* court fees. The view expressed vide impugned order (Annexure P2) is based upon the ratio of Sardool Singh Vs. Randhir Singh and Others, AIR 2010(SC) 2807. Thus, no interference is called for.

The petition is accordingly, dismissed.

8th November, 2021

Sonia Puri

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No