

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Civil Revision No.2795-2021
Date of decision: 15.11.2021.

HARDEEP KAUR

...Petitioner

Versus

VEERPAL KAUR @ TANVEER KAUR

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Charanjit Singh Bahia, Advocate,
for the petitioner.

ANIL KSHETARPAL, J (Oral)

The petitioner (defendant) assails the correctness of an order passed by the trial court while rejecting his application under Order 7 Rule 11 CPC.

The petitioner claims that the plaintiff has not paid the *ad valorem* court fee on the amount of sale consideration. He claims that the plaintiff seeks annulment of the sale deed executed by him. In view of the judgment passed by the Hon'ble Supreme Court in **Sri Rathnavarmaraja vs. Smt. Vimla, AIR 1961 Supreme Court, 1299,** the revision petition is not maintainable.

However, it has been noticed that the plaintiff is an executant of the sale deeds. The learned trial court has not noticed a Full Bench judgment of this Court in **Niranjan Kaur vs. Nirbigan Kaur, 1981 PLJ 423** and the judgment passed by the Supreme court in **Suhrid Singh @ Sardool Singh vs. Randhir Singh and others, (2010) 12 SCC 112,** in this regard.

Keeping in view the aforesaid facts, the revision petition is disposed of with liberty to the petitioner to file an application before the learned trial Court with a prayer to recall the order.

Let the trial Court decide the application, if any, after considering all the relevant aspects of the matter.

All the pending miscellaneous applications, if any, are also disposed of.

November 15, 2021
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(ANIL KSHETARPAL)
JUDGE

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