

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

117

**Civil Revision No.2854 of 2021
Date of decision: 18.11.2021.**

Daljit Kaur

...Petitioner

Versus

Gurpreet Singh Dhillon and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Avnish Mittal, Advocate,
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The plaintiff (petitioner herein), in a suit for grant of decree of possession, assails the correctness of the order passed by the trial court directing her to affix the ad valorem court fee with the plaint as per the collector's rate with respect to the suit property.

The learned counsel representing the petitioner contends that since the petitioner is a co-owner, therefore, she is not required to pay the ad valorem court fee.

It is evident from the reading of the plaint that the plaintiff seeks possession of a specific portion of the alleged joint property. The plaintiff does not seek possession from another co-owner. She has prayed for decree of possession against a third party. Once the plaintiff has sought relief of possession of a specific identified part of the joint property, then she is required to deposit the ad valorem court fee.

At this stage, the learned counsel representing the petitioner prays that the period for payment of the ad valorem court fee be extended so

as to enable the plaintiff to make an arrangement.

In view thereof, while disposing of the revision petition maintaining the order of the lower court, the period of payment of the ad valorem court fee is extended by another month from today.

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

November 18, 2021
nt

(ANIL KSHETARPAL)
JUDGE

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