

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

CR-1202-2017 (O&M)

Date of decision: 29.08.2022

Rajinder

...Petitioner

Versus

Pyare Lal Gupta

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Saurabh Garg, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

Despite service of notice, the respondent remains unrepresented.

The dispute is with regard to the quantum of ad valorem court fee payable by the plaintiff on the plaint. The trial court, while allowing the application filed by the plaintiff, got the value of the property assessed.

Learned counsel representing the petitioner contends that initially, the court had directed him to pay ad valorem court fee within a specified period, however, subsequently, on the application filed by the plaintiff, the market value of the property was got assessed. He submits that the plaintiff was never granted any extension to deposit the amount of court fee.

Primarily, the question of payment of court fee is between the court and the plaintiff. In any case, the trial court has already directed the plaintiff to pay the requisite court fee after getting the value of the suit property assessed. Accordingly, the market value has been assessed. Hence, let the plaintiff pay the court fee as directed by the trial

court. Delay, if any, in making good the deficiency in court fee shall be deemed to have been condoned.

Disposed of.

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

29.08.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE