

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

113

**CR-1482 of 2019
Date of Order: 05.05.2022**

Smt. Amandeep Kaur and others

..Petitioners

Versus

Gurjiwan Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioners.

ANIL KSHETARPAL, J(Oral)

The petitioners herein filed a suit for declaration claiming entitlement to the extent of 1/3rd share in an agricultural land measuring 12 kanals and 5 marlas. They also prayed for decree of declaration that the transfer deed executed by Nachhatar Singh is illegal. They also prayed for decree of possession.

The learned trial Court held that the plaintiffs are liable to pay ad-valorem court fee on the relief of possession.

The learned counsel representing the petitioners contends that the ad-valorem court fee on the value of the share claimed by the plaintiffs has already been deposited.

It appears that neither the trial Court nor the counsel representing the petitioners has taken note of the amendment in Section 7 applicable to suits filed in Punjab, Himachal Pradesh, Delhi and Union Territory, Chandigarh. As per the aforesaid amendment, in case of relief of possession of agricultural land, the Court fee is payable as per the land revenue.

Keeping in view the aforesaid facts, the learned trial court is requested to redecide the application.

Disposed of accordingly.

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

May 05, 2022

nt

(ANIL KSHETARPAL)
JUDGE

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