

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

150

CR-1652-2022

Date of decision: 29.09.2022

MADHU BALA

..Petitioner

Versus

SANJEEV KUMAR AND ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S. Bajaj, Advocate
for the petitioner.

Mr. M.S. Virdi, Advocate
for Mr. Lakhwinder Singh Mann, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

The petitioner before this Court is a defendant in an application filed for preparation of the final decree for partition. While passing the preliminary decree for partition on 25.05.2015, the plaintiff was directed to make good deficiency in the Court fee within a period of 60 days. The defendant's First Appeal, Second Appeal and Special Leave Petition remained pending. The Supreme Court dismissed the Special Leave Petition on 04.02.2019. The deficiency in the amount of Court fee has been made good on 16.09.2019. The defendant's application under Order VII Rule 11 read with Section 148 and 151 of the Code of Civil Procedure, 1908, for rejection of the plaint has been dismissed.

The Court fee is a matter between the Court and the plaintiff. The aforesaid amount has been permitted to be deposited particularly when the matter was pending before the Appellate Courts at the behest of the defendant.

Hence, no ground to interfere is made out.

Dismissed.

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

September 29th, 2022

**(ANIL KSHETARPAL)
JUDGE**

Ay

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No