

**CR-6007-2022 (O&M)**

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

**CR-6007-2022 (O&M)**

**Date of Decision: December 19, 2022**

**Sh. Som Dutt**

**...Petitioner**

**Versus**

**Smt. Jyoti Rani and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Ms. Jyoti Rani, Advocate for the petitioner.

**DEEPAK GUPTA, J.(Oral)**  
**CM-17894-CII-2022**

Application is allowed as prayed for .

**CM-17896-CII-2022**

This application is to condone the delay of 4 days in filing the revision.

For the reasons mentioned in the application, which is duly supported by an affidavit, delay of 4 days in filing the revision is condoned, subject to all just exceptions.

Application is disposed of.

**Main case**

Petitioner is the plaintiff before learned Trial Court. By way of impugned order dated 08.09.2022, he has been directed to pay ad valorem Court fee on the value of the sale deed assailed by him. It is contended by learned counsel that impugned order is illegal and void as the sale deed was executed by the plaintiff-petitioner through General Power of Attorney (GPA) in favour of his brother. It is further contended that the petitioner had orally cancelled the General Power of Attorney.

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Still further, it is contended that it is a family matter and so matter should be directed to be transferred to the Mediation Cell for compromise.

2. After hearing submission of learned counsel and going through the paper book, I find no merit in this revision petition.

3. Plaintiff-petitioner executed a registered General Power of Attorney dated 05.07.2011 in favour of his brother-defendant No.2 Jasmer Singh. Said defendant No.2 on the basis of that GPA executed sale deed in favour of defendant No.1 on 11.12.2020. The contention of the petitioner that he was not a party to the sale deed and so not required to pay the ad valorem Court fee, has no merit because the sale deed was executed by him, though through his attorney.

4. The further contention that GPA was orally cancelled on 14.11.2020 does not hold water because a registered Power of Attorney could have been cancelled only by a registered deed. Registered cancellation deed was executed only subsequently on 14.12.2020 i.e. after execution of the sale deed dated 11.12.2020. Another contention of the petitioner that he is an indigent person as per Annexure P-3, has no merit as it is conceded by learned counsel that no such application was moved before the Trial Court.

5. As such, I find no reason to interfere in the well reasoned impugned order.

6. Dismissed.

**December 19, 2022**  
sarita

**(DEEPAK GUPTA)**  
**JUDGE**

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