

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.8009 of 2018 (O&M)

Date of Order:14.12.2023

Ramesh Kumar

.Petitioner

Versus

Deepak Mahajan and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Ajay Pal Singh Rehan, Advocate
for the petitioner.****Mr. Vishal Gupta, Advocate
for the respondents.****ANIL KSHETARPAL, J**

1. In this revision petition, the dispute is with regard to liability of the plaintiff to affix the ad-valorem court fee of Rs.1,00,00,000/- (amount of damages).
2. The trial court has dismissed the defendant's application on the ground that the plaintiff can be called upon to pay the ad-valorem court fee as and when the suit is decided.
3. In fact, the matter in issue is covered by the recent judgment passed by the Supreme Court in **State of Punjab and others vs. Dev Brat Sharma, 2022(2) RCR (Civil) 464**. In the aforesaid case, the Supreme Court has overruled various judgments passed by the Court and held that once the plaintiff has specified the amount which is being claimed as damages and compensation, then the ad-valorem court fee on the aforesaid amount is payable.
4. Keeping in view the aforesaid facts and discussion, the impugned order is set aside. The plaintiff has been granted one month's time

to make good the deficiency in the court fee, failing which the suit filed by the plaintiff shall be dismissed.

5. With these observations, the revision petition is disposed of.
6. All the pending miscellaneous applications, if any, are also disposed of.

December 14, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO