

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

110

CR No.2029 of 2023

Date of decision: 12.04.2023

Narender Pal

....Petitioner

V/s

Kamla Puri and another

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Amandeep Vashisth, Advocate for the petitioner.

Mr. Manuj Nagrath, Advocate
for the respondent No.1-caveator.

VIKAS SURI, J. (Oral)

After arguing for some time, learned counsel for the petitioner seeks withdrawal of the petition.

Learned counsel for respondent No.1-caveator submits that the present petition has been instituted on 26.03.2023, whereas the petitioner had already moved an application under Section 148 CPC for enlargement of time to deposit the *ad valorem* court fee in compliance to the order dated 06.03.2023, which is impugned in the present petition. On the prayer made on behalf of the petitioner, further time was extended and the matter was adjourned to 06.04.2023 for filling of *ad valorem* court fee in compliance of the order impugned herein. He further submits that despite having been granted time up to 06.04.2023, another application under Section 149 CPC was thereafter filed seeking further extension of time for a period of two months. Reference of the present revision petition has been given therein, though it has been wrongly depicted as CRM which in-fact appears to a typographical error.

In ordinary circumstances, this Court would take a harsh view for withholding material proceedings and orders that came to be passed before institution of the present revision petition in this Court. However, it has been noticed in the impugned order that the collector rate of the suit property is about 24.6 crores. As such, some reasonable time deserves to be granted for arranging and depositing *ad valorem* court fee, which is stated to be a substantial amount running into several lakh rupees.

As the matter is pending before the trial Court, this Court would refrain from making any observation in that regard and the application pending before the trial Court be decided without being influenced by any observation made herein above.

In light of the aforesaid, the prayer for withdrawal of the instant revision petition is accepted, without imposition of costs as a one time exception.

Dismissed as withdrawn.

(VIKAS SURI)
JUDGE

April 12, 2023
Ajay

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