

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

244 (2)

CR-2952-2019 (O&M)

Date of Decision :19.05.2023

Haryana State Roads and Bridges
Development Corporation Limited

...Petitioner

Versus

Umrao Singh Harprasad

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vishal Garg, Advocate for the petitioner.

Mr. Ashok Gupta, Advocate for the respondent.

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Harsimran Singh Sethi, J. (Oral)

1. Present revision petition was filed in the year 2019 challenging the order dated 01.10.2018 (Annexure P-1) passed by the trial Court by which, an application filed under Order 7 Rule 11 of the CPC by the respondent-defendant on the ground that *ad valorem* Court-fee affixed on the complaint is less than the required, was allowed.

2. Learned counsel for the parties submits that the proceedings have already continued for a period of four years when this petition was pending consideration before this Court hence, at this stage, the parties will be satisfied in case the trial Court is directed that in case at the time of conclusion of the trial any Court-fee is required to be paid by the plaintiff, an appropriate order be passed for the said payment, which will be complied with by the party concerned.

3. Keeping in view the above, order dated 01.10.2018 (Annexure P/1) passed by the Civil Judge (Junior Division), Bhiwani is set aside and the present revision petition is disposed of with a clear indication that in case at the conclusion of the trial, plaintiff is required to pay any *ad valorem* Court-fee keeping in view the relief sought and awarded an appropriate order will be passed to the said effect to be complied with by the party concerned.

May 19, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No