

CR-4207-2023(O&M)

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4207-2023(O&M)

Date of Decision : 28.07.2023

Jaspal Singh

.....Petitioner

Versus

Malkiat Singh and others

.....Respondents

CORAM:-

HON'BLE MR. JUSTICE H.S. MADAAN

Present:

Mr.G.S. Sandhu, Advocate
for the petitioner.

H.S.MADAAN, J. (ORAL)

1. The revision petitioner, who is plaintiff in the civil suit titled 'Jaspal Singh Shergill Veruss Malkiat Singh and others' is feeling aggrieved by the impugned order passed dated 11.5.2023 by the trial Court of Additional Civil Judge (Sr.Divn.), Phillaur vide which while disposing of application under Order 7 Rule 11 CPC filed by the applicant/defendant No.1 Malkiat Singh, the trial Court had directed the plaintiff to pay the ad valorem Court fee on the market value of the suit property. Such type of order comes within definition of decree under Section 2 Sub-Section(2) of CPC.

2. Therefore, the appropriate remedy for the revision

CR-4207-2023(O&M) -2-

petitioner/plaintiff is to file appeal and not the revision petition before this Court. n

3. Under the circumstances, the revision petition is not maintainable and is dismissed accordingly. The revision petitioner may take recourse to the proper remedy available to him under law.

28.7.2023		(H.S. MADAAN)
Brij		JUDGE
Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No