

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

117

CR-4395-2023

Date of Decision : 01.09.2023

Devi Dayal and another

.....Petitioners

Versus

Sain Dass Gupta & Company

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Surinder Garg, Advocate for the petitioners.

NAMIT KUMAR, J. (ORAL)

1. The challenge in the instant revision petition is to the order dated 11.05.2023 (Annexure P-4) whereby an application under Order 7 Rule 11 filed by the defendant has been allowed and the plaintiff has been directed to make the deficiency of the Court fee by calculating and paying the same till 27.07.2023. The concluding para of the impugned order reads as under :-

“5. So, the amount claimed in the present suit is Rs.1,50,00,000/- as assertions in the plaint, as such damages are caused to the plaintiffs and court fee will be payable on this amount. Hence, application under Order 7 Rule 11 is allowed and plaintiff directed to make the deficiency of the Court fee be good by calculating and by paying the same till 27.07.2023.

6. The case is adjourned to 27.07.2023 for affixing the adequate Court fee.”

2. Learned counsel for the petitioner submits that he may be permitted to withdraw the present revision petition with liberty to seek

CR-4395-2023 -2-

amendment of the plaint restricting his claim for damages for Rs.5,00,000/-.

3. Dismissed as withdrawn with liberty as aforesaid.

01.09.2023
Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No