

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CR-88-2023

Date of Decision :23.02.2023

Sanatan Dharam Sabha and others

...Petitioners

Versus

Jagdish Rai Kansal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Kriti S. Avasthi, Advocate for the petitioners.

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Harsimran Singh Sethi, J. (Oral)

On being pointed as to whether respondent-plaintiff-Jagdish Rai Kansal was party to the sale deed dated 15.07.2010 (Ex.P1), which has been impugned so as to make him liable for the deposit of the Court fee, learned counsel for the petitioners very fairly concedes that the respondent-plaintiff was not party to the sale deed, which is being challenged.

That being so, the next question comes as to how, keeping in view the judgment of the Hon'ble Supreme Court of India in Civil Appeal No.2811-2813-2020 titled as Suhrid Singh @ Sardool Singh vs. Randhir Singh and others, decided on 29.03.2010 and Civil Appeal No.1722-2020 titled as Agra Diocesan Trust Association vs. Anil David and others decided on 19.02.2020, respondent is liable to pay court fee when concededly he was not a party to the said sale deed.

Learned counsel for the petitioner submits that keeping in view

the said settled principle of law, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

February 23, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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