

No.510/2018. By the impugned order dated 3 April 2019 the Application filed by the defendant under Order 7 Rule 11 of Code of Civil Procedure was rejected.

5. The Civil suit for possession was filed by the Plaintiff-Landlord under the provision of Maharashtra Rent Control Act before the Small Causes Court at Pune. After summons was served Defendant preferred an application under order 7 Rule 11 on the ground that valuation of the suit as made by the Plaintiff/respondent is grossly undervalued. It is the case of the Applicant that the suit should have been valued as per Section 6 (5) of the Maharashtra Court Fees Act and as per market value of the said property, the Court fees should have been paid on the plaint by the Plaintiff as per the market value of the suit property.

6. As per the Maharashtra Court Fees Act Section 6 clause (xii), the dispute between landlord and tenant the court fees would be amount of the rent of the immovable property to which the suit refers payable for the year next before the date of presenting the plaint. In the proceedings the plaintiff has paid the court fees as per the provisions of Maharashtra Court Fees Act Section 6 (xii).

7. I find no perversity in the order hence, Civil Revision application is dismissed. The hearing of Civil Suit No.510 of 2018, is expedited, to be decided within a period of one year from today.

(RAJESH S. PATIL, J.)