

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 801 of 2024

Date of Decision: 25.07.2024

Hema Khurana

... Petitioner(s)

Versus

Tanvi Kapoor and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Manit Malhotra, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The petitioner herein is a defendant in a pending suit filed by the respondent(plaintiff). She has filed an application for rejection of the plaint on the ground that the appropriate *ad valorem* court fee has not been paid by the plaintiff while filing the suit. The same was considered and dismissed by the Trial Court. This revision petition has been filed to challenge its correctness.
2. In view of the judgment passed by the Supreme Court in *Ratnavermaraju v. Smt. Vimla AIR 1961 SC 1299*, the revision petition, filed at the behest of the defendant, is not maintainable. However, the petitioner shall have the liberty to request the Trial Court to frame a distinct issue on this aspect which shall be considered by the Court while finally deciding the suit.
3. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

July 25, 2024
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No