

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCR-2588 of 2021 (O&M)
Date of Order:05.03.2024

Suresh Deswal

.Petitioner

Versus

Jyoti Parkash

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anuj Malik, Advocate, for
Mr. Ravinder Malik, Advocate,
for the petitioner.

ANIL KSHETARPAL, J

1. Through this revision petition, the defendant assails the correctness of the order passed by the trial Court while dismissing his application under Order VII Rule 11 CPC to reject the plaint as the plaintiff has failed to pay the ad valorem court fee on the amount of Rs.80,00,000/-, which has been claimed as damages for alleged defamation.

2. The trial court has formed an opinion that the plaintiff can be made liable to pay ad valorem court fee after conclusion of the trial.

3. The learned counsel representing the petitioner relies upon the recent judgment passed by the Supreme Court in **State of Punjab and others vs. Dev Brat Sharma, 2022(2) RCR (Civil) 464.**

4. Keeping in view the aforesaid facts development, the revision petition is disposed of with liberty to the petitioner to file an application before the trial court for re-determination of the liability of the plaintiff to pay ad valorem court fee in view of the recent judgment of the Supreme Court. If such an application is filed, the same shall be decided within a

period of one month, from day.

5. All the pending miscellaneous applications, if any, are also disposed of.

March 05, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO