



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-3005-2024(O&M)

Date of Decision: July 09, 2024

Punjab Agro Industries & Food Grains Corporation Limited

...Petitioner

Versus

Shri Rajpati Yadav

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Ranjit Singh Kalra, Advocate
for the petitioner.

ARCHANA PURI, J.

Challenge in the present revision petition is to the order dated 28.03.2022 passed by learned trial Court, whereby, the suit filed by the petitioner was rejected/dismissed for want of requisite Court fee.

The facts germane, to be noticed, are as follows:-

That, petitioner-Punjab Agro Industries & Food Grains Corporation Limited, which is a public sector undertaking, had filed a suit against Shri Rajpati Yadav, for seeking recovery of Rs.49,69,649/-, as a principal amount with interest component. However, as per zimini order dated 10.02.2021, there being deficiency of Court fee, the case was adjourned for 02.04.2021. Thereafter, the case was adjourned for so many dates for making good the deficiency of Court fee, but the same was not deposited despite availing several opportunities, as a result whereof, learned trial Court, vide impugned



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order dated 28.03.2022 had ordered the suit to be rejected/dismissed, on the ground of deficiency of Court fee.

It is submitted by learned counsel for the petitioner that vide Notification dated 02.07.2019, Punjab Agro Foodgrains Corporation Limited (PAFC) was withdrawn from the procurement of foodgrains in the State w.e.f KMS 2019-20. Also, it is stated that on account of paucity of funds, the petitioner was unable to deposit the Court fee. However, now it is submitted that funds for the deposit of the Court fee have been released by the Government to the various Regional Managers, PAIC/PAFC.

In the given circumstances, it is submitted that the petitioner now undertakes to make good the deficiency of the Court fee, within a period of one month from today onwards.

Keeping in view the aforesaid circumstances, faced by the petitioner, the impugned order dated 28.03.2022, is hereby set aside and petitioner is directed to make appearance before learned trial Court and move an application for deposit of the Court fee. The suit shall stand revived, subject to furnishing of the Court fee, within the requisite period of one month.

However, in the eventuality of the compliance not being made by the petitioner, within the given time frame, for all intents and purposes, the aforesaid revision petition shall be deemed to have been dismissed.

July 09, 2024
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No