

**CR-3117-2024 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****124****CR-3117-2024 (O&M)
Date of decision : 21.05.2024**

Punjab Agro Industries & Food Grains Corporation Ltd. ... Petitioner (s)

Versus

Kanshi Ram Singh

...Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

ALKA SARIN, J. (ORAL)

1. The present revision petition has been preferred challenging the order dated 29.03.2022 whereby the plaint has been ordered to be rejected for want of court fee.

2. Brief facts relevant to the present case are that the petitioner herein is a public sector undertaking and the process of its winding up is under way. The petitioner herein filed a suit for recovery of Rs.19,88,435/- as a principal amount with future interest @ 18% per annum from the date of accrual of the amount till its actual realization. At the time of filing of the suit, on 24.02.2021, an application was filed seeking permission to file the suit without court fee and that the same would be filed after receiving due sanction from the head office of the petitioner-Corporation. Thereafter, despite availing multiple opportunities, the court fee was not deposited and as such vide the impugned order 29.03.2022 the suit was dismissed.

3. Learned counsel for the petitioner would contend that the

**CR-3117-2024 (O&M)****2**

petitioner-Corporation was unable to deposit the court fee as no budget sanction was granted. The present revision was also not filed earlier as there was no budget for paying the court fee. It is further the contention that now the petitioner has received the budget and that the deficiency in the court fee shall be made good within a period of one month from today. Learned counsel would further contend that out of 39 cases which were dismissed for want of court fee, in one case a civil revision was filed being CR-2993-2024 which was allowed by a Co-ordinate Bench of this Court vide order dated 16.05.2024.

4. Keeping in view of the above, the present revision petition is allowed and impugned order dated 29.03.2022 is set aside. The court fee shall be deposited within a period of one month from today failing which the revision petition shall be deemed to having been dismissed. Pending miscellaneous applications, if any, also stand disposed off.

21.05.2024
Ankur

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO