

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

139

2024:PHHC:054869

CR-4114-2023
Date of decision: 23.04.2024

RIDHI MAVI THROUGH GPA RAJESH KANT ..Petitioner
Versus
RITESH CHOUDHARY AND ANR ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashiwani Sharma, Advocate
for the petitioner.

Mr. Parvinder Singh, Advocate
for respondent No.1 and 2.

ANIL KSHETARPAL, J(Oral)

1. In this revision petition, the plaintiff assails the correctness of the trial Court's order directing her to deposit the *ad valorem* Court fee on the value of the property. The petitioner has only filed a suit for decree of mandatory injunction claiming that the respondents were in possession and the licenses, were terminated as the plaintiff wanted the respondents to deliver the possession back to her. The plaintiff and defendants are members of the same family.
2. Keeping in view the aforesaid facts, there was no occasion for the trial Court to direct the plaintiff to pay *ad valorem* Court fee by assuming it to be a suit for possession.
3. Consequently, the revision petition is allowed.
4. The impugned order dated 10.09.2021, is set aside.
5. All the pending miscellaneous applications, if any, are also disposed of.

April 23rd, 2024 (ANIL KSHETARPAL)
Ay JUDGE
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No