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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-4515-2024

Date of decision : 12.08.2024

Randhir Singh @ Tofi

... Petitioner

Versus

Kartar Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Mandeep Kumar Dhot, Advocate
for the petitioner.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 03.02.2024 (Annexure P-3) passed by the Additional Civil Judge (Senior Division), Malerkotla vide which the application under Order VII Rule 11 CPC filed by the petitioner has been dismissed.
2. In view of the law laid down by the Coordinate Bench of this Court passed in *Arun Kumar Goyal vs. Payal Aggarwal* reported as **2013 (4) RCR (Civil) 93** holding that no revision petition is maintainable against the decision of non-payment of court fee by the defendant as the question of non-payment of court fee is dispute between the plaintiff and the registry, the learned counsel for the petitioner seeks to withdraw the present petition with liberty to take up all the points, which have been raised in the present petition, in the written statement to be filed to the plaint.
3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

August 12, 2024

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No