

128

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-6269-2024
Date of decision: 28.10.2024

JK Lakshmi Cement Limited
...Petitioner

Versus

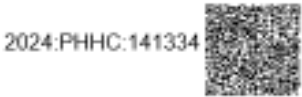
Gagandeep and others
...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. J.S. Chandail, Advocate and
Mr. Aman Kumar, Advocate
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 05.07.2024 passed by the learned Civil Judge (Sr. Division), Hoshiarpur in Civil Suit No.33/2021 titled as 'Gagandeep Vs. JK Lakshmi Cement Ltd. & Ors.', vide which the application under Order VII Rule 11 CPC filed by the petitioner for rejection of the plaint for non-affixation of the requisite court fee by respondent No.1 has been dismissed.
2. Faced with the law laid down by a Full Bench of this Court in *Civil Revision No.351 of 1974, decided on 25.04.1977* titled as '*Arjan Motors Vs. Girdhara Singh and others*' and also in the judgment of Coordinate Bench of this Court in '*Arun Kumar Goyal Vs. Payal Aggarwal*', reported as *2013(4) R.C.R. (Civil) 93*, holding that the revision petition is not maintainable against the decision of Court fee and also the



fact that as per the petitioner the issue with respect to the Court fee has already been framed, learned counsel for the petitioner has submitted that he be permitted to withdraw the present revision petition with a liberty to raise all pleas during the course of trial in accordance with law. Learned counsel for the petitioner has further submitted that the present suit is of the year 2021 and has prayed that the trial Court be directed to decide the suit expeditiously.

3. Dismissed as withdrawn, with the aforesaid liberty. However, the trial Court is requested to decide the suit as expeditiously as possible.

28.10.2024

Satyawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No