



CR-6721-2024(O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6721-2024(O&M)

Date of decision : 19.11.2024

Joginder and another

... Petitioners

Versus

Premo Devi (now deceased) through her legal representatives

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rishi Pal Chaudhary, Advocate
for the petitioners.

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 24.05.2023 (Annexure P-4) passed by the Additional Civil Judge (Sr.Div.), Safidon, vide which the application filed by the petitioners for refund of ad valorem court fee has been dismissed.

2. Learned counsel for the petitioners has submitted that since in the impugned order passed by the Executing Court, it has been observed that a perusal of the order passed by the Punjab and Haryana High Court shows that there was no mention of refund of court fee and no such direction was issued by the Appellate Court and has further observed that on the said account, the application for refund of court fee in execution petition is not maintainable, the petitioners seek to withdraw the present



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petition with liberty to move appropriate application, in accordance with law.

3. In view of the statement made by learned counsel for the petitioners, the present petition is dismissed as withdrawn with the aforesaid liberty.

4. It is made clear that this Court has not opined on the maintainability or otherwise of such application and in case such application is filed, then the same would be considered independently, in accordance with law.

(VIKAS BAHL)
JUDGE

November 19, 2024.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No