

D/L- 5
10/03/2025
Ct. No.-6
Aritra

C.O. 710 of 2025

**Sutirtha Dalal
Versus
Buddheswar Mahata**

Mr. Narandra Nath Maity
Mr. Prasit Sinha
Mr. Goutam Mandal

...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the defendant and is directed against an order being No.13 dated October 4, 2024 passed by the learned Civil Judge (Sr. Div.), Jhargram in Other Suit No.2 of 2023.

By the order impugned the defendant/petitioner herein was directed to pay *ad valorem* Court fee on the reliefs claimed in the plaint.

The learned advocate appearing for the petitioner submits that without the report of the Sherestadar the petitioner cannot decide the amount of *ad valorem* Court fee which is to be paid.

This Court is not inclined to accept such submissions of the learned advocate for the petitioner. When the petitioner has valued the counter-claim it is for the petitioner to pay Court fee on the reliefs claimed in the plaint. For such reasons this Court is not inclined to interfere with the order impugned.

With above observations CO 710 of 2025 stands dismissed.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)