

**CR-1615-2025****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(132)****CR-1615-2025****Date of decision: - 18.03.2025****Vipan Kumar****....Petitioner****Versus****Kalu Ram (deceased) through his legal heirs and another****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. R.K. Kachura, Advocate,
for the petitioner.

**********VIKAS BAHL, J. (ORAL)**

1. Present civil revision has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 05.02.2025 (Annexure P-1) passed in Civil Suit No.445 of 2023 titled as 'Vipan Kumar Vs. Kalu Ram' by the Civil Judge (Junior Division), Guruharsahai, whereby the application under Order 7 Rule 11 CPC (Annexure P-3) filed by the legal heirs of the respondent No.1/defendant No.1 for rejecting the plaint (Annexure P-2) filed by the petitioner/plaintiff was disposed of with a direction to petitioner/plaintiff to make the deficiency of court fee good.

2. A perusal of the impugned order dated 05.02.2025 would show that it has been observed by the trial Court that since in the suit, the petitioner has sought possession of shops No.19, 20 situated at Mandi

**CR-1615-2025****-2-**

Guruharsahai, with consequential relief of permanent injunction restraining the defendants from further transferring the possession, thus, it was necessary for the petitioner to affix ad valorem court fee, which had not been done and accordingly, the application under Order 7 Rule 11 CPC was disposed of directing the petitioner/plaintiff to make the deficiency of court fee good on or before 20.03.2025, failing which, the plaint would be deemed to be automatically rejected.

3. The fact that the petitioner/plaintiff has claimed possession with respect to shops No.19 and 20, which were situated at Mandi Guruharsahai, is not disputed before this Court. Thus, the impugned order requiring the petitioner to affix ad valorem court fee is in accordance with law and deserves to be upheld. Moreover, no provision of law, much less, judgment has been shown to this Court that the impugned order is against law.

4. Keeping in view the above-said facts and circumstances, the impugned order is upheld and the present revision petition being meritless, deserves to be dismissed and is dismissed.

March 18, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No