



CR Nos.2677, 1016 and 1198 of 2022

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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1. Civil Revision No.2677 of 2022
Date of decision: November 13th, 2025

Sat PalPetitioner
Versus

Ajay Sarangal and anotherRespondents

2. Civil Revision No.1016 of 2022

Shri Tilak Raj and othersPetitioners
Versus

Ajay Sarangal and othersRespondents

3. Civil Revision No.1198 of 2022

Sandeep KumarPetitioner
Versus

Ajay Sarangal and anotherRespondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vipul Aggarwal, Advocate
for the petitioner(s).

Mr. Ashok Giri and Mohit Giri, Advocates
for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. This order will dispose of three civil revisions. First Civil Revision i.e. CR No.2677 of 2022 has been filed by Sat Pal against Ajay Sarangal and another, in which challenge is to the order dated 09.09.2019



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(Annexure P-5) passed by learned Civil Judge (Junior Division), Jalandhar, thereby accepting the application under Order VII Rule 11 CPC moved by respondent No.2/defendant No.2 and order dated 26.04.2022 (Annexure P-8), whereby application moved by the petitioner/plaintiff for recalling the order dated 09.09.2019 had been dismissed. The second revision petition i.e. CR No.1016 of 2022 has been filed by Tilak Raj and others against Ajay Sarangal and others, in which challenge is to the order dated 09.09.2019 (Annexure P-5) passed by learned Civil Judge (Junior Division), Jalandhar, thereby accepting the application under Order VII Rule 11 CPC moved by respondent No.2/defendant No.2 and order dated 17.09.2021 (Annexure P-8), whereby application moved plaintiff for recalling the order dated 09.09.2019 had been dismissed. The third civil revision i.e. CR No.1198 of 2022 has been filed by Sandeep Kumar against Ajay Sarangal and another and in the said revision petition challenge is to the order dated 09.09.2019 (Annexure P-5) passed by learned Civil Judge (Junior Division), Jalandhar, thereby accepting the application under Order VII Rule 11 CPC moved by respondent No.2/defendant No.2 and order dated 21.12.2021 (Annexure P-8), whereby application moved by the petitioner/plaintiff for recalling the order dated 09.09.2019 had been dismissed.

2. Learned counsel for the petitioner(s) as well as learned counsel for the contesting respondent No.2 have submitted that three suit were filed in the present case by the plaintiffs/petitioners and defendant No.2/ respondent No.2 had filed an application under Order VII Rule 11 CPC in each of the three cases and the trial Court vide the impugned order(s) while



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allowing the application under Order VII Rule 11 CPC, directed the present petitioners/plaintiffs to affix *ad valorem* Court fee on the total amount mentioned in the agreement to sell. It has further been pointed out that a coordinate Bench of this Court on 26.07.2022 was pleased to pass the following order in CR No.2677 of 2022:

“CR-2677-2022

SAT PAL V/S AJAY SARANGAL AND ANOTHER

Present: Mr. Vipul Aggarwal, Advocate for the petitioner.

Learned counsel for the petitioner would contend that the relief was sought only qua 25 marlas and the Trial Court has directed the payment of ad valorem court fees on the entire 40 marlas.

Notice of motion returnable 19.01.2023.

Meanwhile, operation of the impugned order dated 09.09.2019 (Annexure P-5) shall remain stayed.

However, the proceedings shall go on.

26.07.2022”

3. It has been submitted that similar order was passed in the other two revision petitions and the said interim orders are continuing till date. It is jointly pointed out that in each of the three cases, the issue as to whether the suit property had been properly valued for the purpose of Court fee or not has been specifically framed. It is thus, jointly submitted that the parties



would lead their evidence in support of their respective pleas on the said issue along with the other issues and the said issues be decided at the time of final adjudication, after hearing both the parties and de hors the observations made in the impugned orders.

4. Learned counsel for the contesting respondent No.2 has submitted that passing of the present order as well as grant of stay by the coordinate Bench of this Court should not be construed as an expression on the merits of the case and the issues should be decided independently.

5. Keeping in view the abovesaid facts and circumstances and the fair stand taken by learned counsel for the petitioners and the learned counsel for contesting respondent No.2, the present revision petitions are partly allowed and the impugned orders are set aside with the following observations/directions:

- (i) Since it is the admitted case of the parties that a specific issue with respect to whether the suit was properly valued for the purpose of Court fee or not has been framed in each of the three cases, thus, it would be open to the parties to lead their respective evidence to prove their stand.
- (ii) In case the said issue has been framed, the trial Court would decide the said issue de hors the observations made in the impugned orders and also in the interim orders passed by a coordinate Bench of this Court while granting stay to the petitioner(s) and would decide the said issue at the stage of final adjudication, after hearing both the parties.



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(iii) This Court has not opined on the merits of the case and the trial Court would decide all the issues including the issue of Court fee, if framed independently, at the stage of final adjudication of the case.

November 13th, 2025
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No