



CR No. 5382 of 2025 (O&M) -1-

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5382 of 2025 (O&M)
DATE OF DECISION: 12.08.2025

SARABJIT SINGH @ CR

.....PETITIONER

Vs.

M/S DREAM REALITY MOVIES AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Manpreet Singh Bhatti, Mr. Balwinder Singh and
Ms. Manisha Sharma, Advocates,
for the petitioner.

AMARINDER SINGH GREWAL, J.

1. Prayer in the present Civil Revision Petition, filed under Article 227 of the Constitution of India, is for setting aside the impugned order dated 08.05.2025 (Annexure P-4), passed by the learned Civil Judge (Junior Division), Khanna, whereby the application dated 30.07.2024 (Annexure P-2), filed by defendant No. 2-respondent No. 2 under Order VII Rule 11 of the Code of Civil Procedure, 1908 (for short, *the CPC*), seeking payment of *ad valorem* court fee on the amount claimed by him has been allowed.

2. In brief, the facts are that plaintiff-petitioner *Sarabjit Singh @ CR* filed a suit for damages and compensation, as assessed by the Court, on account of unauthorized use of the plaintiff's character in the movie titled *Rupinder Gandhi 2 – The Robinhood*, which was released worldwide on 25.08.2017 without his permission, and for defaming the plaintiff by



portraying a false, illicit, and negative lifestyle, behaviour, character, and image of the plaintiff in the aforesaid movie. It was alleged that this portrayal harmed the reputation of the plaintiff, and that the false and defamatory imputations made in the movie, directly and indirectly, lowered the moral or intellectual character of the plaintiff, and lowered his character in respect of his caste and calling, further reducing his credit and causing it to be believed that he is in a loathsome and disgraceful state in the estimation of others. The plaintiff also sought extra costs of litigation.

2.1 In pursuance of notice of the suit, defendants Nos. 2, 7, 8, and 10 appeared. Thereafter, an application under Order VII Rule 11 of the of the CPC seeking rejection of the plaint on the grounds of non-disclosure of the amount of damages, non-affixation of proper court fee, and lack of cause of action, was filed by defendant No. 2 – *Ravneet Kaur Chahal*, wife of *Lakhbir Singh Chahal*. In the said application, it was averred that the plaintiff had intentionally not mentioned the amount sought from the Court in order to avoid paying the proper court fee, and that he had no cause of action to proceed against defendant No. 2.

2.2 The plaintiff filed a reply to the said application.

2.3 After hearing learned counsel for the parties, the learned lower court came to the conclusion that the plaintiff is required to make payment of *ad valorem* court fee on the amount claimed by him or adjust his claim on the next date of hearing, vide order dated 08.05.2025 (Annexure P-4), which is the order under challenge.

3. Learned counsel for the revisionist-petitioner has submitted that no specific amount was mentioned by the plaintiff in the plaint;



therefore, the learned lower court could not have directed the plaintiff to make payment of *ad valorem* court fee for an amount of ₹50,00,000/-, as held in paragraph No. 6 of its order. It is thus submitted that the order dated 08.05.2025 (Annexure P-4) is bad in law, unsustainable, and liable to be set aside.

4. In view of the order proposed to be passed, notice is not being issued to the respondents as it would delay the proceedings besides entailing additional expense to them.

5. I have heard learned counsel for the revisionist-petitioner and perused the paper-book.

6. The plaintiff-petitioner, in paragraph No. 14 of his plaint, has submitted that the publication of false imputations made, aided, and abetted by the defendants lowered his dignity and harmed his reputation in society, and is still harming and lowering his reputation because of the impression created by the movie, which remains available on various social media sites and is still in circulation. It was further stated that the loss suffered by him cannot be properly assessed in monetary terms but shall not be less than ₹50,00,000/- or as assessed by the Court as per the facts and circumstances of the case.

7. *“The issue before this Court is whether the lower court could have directed the plaintiff to make payment of ad valorem court fee on the above plea taken by him?”*

8. This Court finds that in the prayer clause and relief clause of the plaint, the plaintiff has never specified or quantified the amount of damages. From the above facts, it is evident that the plaintiff left it open for



the Court to assess the damages.

9. The Hon'ble Supreme Court of India, in *State of Punjab and others vs. Dev Brat Sharma*, 2022 (2) RCR (Civil) 464, has categorically held that in a suit for recovery of damages, *ad valorem* court fee would be payable on the amount of damages claimed.

10. Coming to the facts of the present case, as discussed above, it was only in paragraph No. 14 of the plaint that the plaintiff stated that since the movie is on social sites and still in circulation, he has suffered loss which cannot be properly assessed in monetary terms, but would not be less than ₹50,00,000/- or as assessed by the Court. Meaning thereby, the plaintiff has not directly claimed compensation of ₹50,00,000/- either in the prayer clause or in the relief clause.

11. Thus, for the foregoing reasons, the order dated 08.05.2025 (Annexure P-4), passed by the learned Civil Judge (Junior Division), Khanna, cannot be sustained in the eyes of law.

12. Consequently, the present petition is allowed, and the impugned order dated 08.05.2025 (Annexure P-4), passed by the learned Civil Judge (Junior Division), Khanna, is set aside.

13. Pending miscellaneous application(s), if any, shall also stand disposed of.

AUGUST 12, 2025
nitin

(AMARINDER SINGH GREWAL)
JUDGE

Whether Speaking	Yes
Whether Reportable	No