



CR No.2719 of 2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CR No.2719 of 2023 (O&M)
Date of Decision:06.02.2026

MUKESH RANI

.....Petitioner

Vs

ROSHNI AND OTHERS

....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*Present: Mr. Varinder Kumar, Advocate
for the petitioner.Mr. Nonish Kumar, Advocate
for respondent Nos.1 to 7.

HARKESH MANUJA, J. (Oral)

[1]. By way of present revision petition, challenge has been laid to the order dated 20.04.2023, passed by the learned Civil Judge Junior Division, Karnal, whereby an application an preferred under Order 7 Rule 11 CPC at the instance of petitioner/defendant No.1 was dismissed on the ground that requisite court fee has already been paid considering that the suit land is agricultural land.

[2]. I have heard learned counsel for the parties and gone through the paper book.

[3]. A bare reading of the plaint shows that the prayer made therein is for declaration qua the ownership, possession and permanent injunction with respect to the suit property, which is stated to be an agricultural land measuring 01 *Kanal*, 02 *Marla* and 08 *Sarsai* including a *Dera* constructed thereupon situated at Ghogripur Fatak, Mahavir Colony, Karnal.



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[4]. In such circumstances, once the land has been described in the plaint as being of agricultural nature though a *Dera* exists thereupon, no interference is called for with the discretion exercised by the learned Trial Court at this stage. The revision is dismissed. However, the learned Trial Court shall be at liberty to take a final view regarding the issue of ad-valorem court fee payable on the plaint at the time of final determination of the suit while taking into account the nature of subject property based on the evidence led by the parties.

[5]. Pending application(s), if any shall also stand disposed of.

February 06, 2026
Atik

(HARKESH MANUJA)
JUDGE

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