

2026:PHHC:069944



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**122 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3807-2026

Date of Decision: 06.05.2026

SHEELA DEVI

....Petitioner

Versus

DR. VAIBHAV AGGARWAL AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Rohit Singh, Advocate
for the petitioner.

PARMOD GOYAL, J. (ORAL)

The present petition has been preferred under Article 227 of Constitution of India by petitioner/plaintiff being aggrieved by impugned order dated 20.03.2026 (Annexure P-7), passed by learned Civil Judge (Junior Division), Yamuna Nagar at Jagadhri whereby application under Order VII Rule 11 CPC preferred by respondents/defendants was allowed.

2. In the present case petitioner/plaintiff had filed a suit for possession. Vide impugned order, petitioner/plaintiff was directed to affix *ad valorem* Court fees on the market value/contractor rate of the suit land as existing on 18.11.2020. Admittedly, petitioner/plaintiff is claiming to be owner of suit property and sought possession of suit property. Since petitioner/plaintiff is seeking possession of suit property by claiming herself to be owner, therefore, she is bound to pay *ad valorem* Court fees. There is no dispute with regard to her liability to pay *ad valorem* Court fees.

3. Faced with this, learned counsel for petitioner/plaintiff argued

that valuation of suit property has wrongly been made. The suit property was agricultural land as per the plaint. It is asserted that learned Court of first instance has wrongly noticed that the suit land is *gair mumkin*. Admittedly, learned Court of first instance had taken into consideration the revenue records duly relied upon by petitioner/plaintiff herself wherein suit land has been shown to be *gair mumkin* land showing existence of construction (hospital and houses) over the same.

4. In view of this fact that construction exists on the suit land which is stated to be a hospital and houses, therefore, the conclusion drawn by learned Court below that suit property is *gair mumkin* land for the purposes of Court fees at this stage, cannot be faulted with. I do not find any error in the impugned order. Present revision petition is without any merit, hence is dismissed.

5. Pending application(s), if any, is/are disposed of accordingly.

06.05.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No