



**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

128

CR-3914-2026

Date of decision:12.05.2026

AMARJEET SINGH

...PETITIONER

VERSUS

GURMEET KAUR AND OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Sonia G. Singh Samber, Advocate  
for petitioner.

Mr. Gaurav Goel, Advocate  
for respondents No.4 and 5.

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**PARMOD GOYAL, J. (ORAL)**

Present Civil Revision Petition has been filed under Article 227 of the Constitution of India by petitioner-plaintiff for setting aside impugned order dated 21.04.2026 (Annexure P-5) passed by learned Civil Judge (Junior Division), Assandh, whereby the application under Order VII Rule 11 read with Section 151 of Code of Civil Procedure, 1908 filed by respondent-defendant No.1 was allowed to the extent that Court fee is leviable on the amount sought to be recovered by the petitioner-plaintiff and due time was granted to petitioner-plaintiff for payment of Court fee.

2. Simple case of petitioner-plaintiff is that petitioner-plaintiff, respondents-defendants and proforma respondent-defendant are related to each other. Petitioner-plaintiff is real son of respondent-defendant No.1, respondents-defendants No.2 and 3 are real sisters of petitioner-plaintiff and proforma respondent-defendant is widow of brother of petitioner-plaintiff. That husband of respondent-defendant No.1 and father of petitioner-plaintiff had purchased agricultural land situated within the revenue estate of village

Rajaund District Kaithal, Haryana in his name out of funds of joint Hindu family. Thereafter, the father of petitioner-plaintiff had sold the suit property and had purchased land at village Khirkali out of said sale consideration. Subsequently, the said land was sold by respondents-defendants No.1 to 3 and sale consideration to the extent of Rs.48,50,000/- was deposited with the Bank and accordingly petitioner-plaintiff had sought declaration to the effect that petitioner-plaintiff and proforma respondent-defendant are entitled to 2/5th share out of sale consideration received from sale of joint family property. Declaration was sought by petitioner-plaintiff that he is entitled to sale proceeds of joint family property being member of joint Hindu family. The nature of relief being sought by petitioner-plaintiff in the form of declaration in fact is a relief of recovery of amount on the basis of declaration.

3. Learned Court below has rightly concluded that *ad valorem* fee is payable to the extent of relief sought by petitioner-plaintiff. Amount is being sought by petitioner-plaintiff on the basis of his claim in joint Hindu Family property. I do not find any error in order passed by learned Court below.

4. In view of above, present petition is dismissed being without any merit. However, petitioner-plaintiff shall deposit the deficient Court fee within 15 days from today.

5. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)  
JUDGE

12.05.2026

Sunil Chander

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |