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

CR-438-2017

Date of decision: 11.03.2025

Neelam

...Petitioner

Versus

Rajbir and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Suryakant Gautam, Advocate for the petitioner.

Mr. Atul Yadav, Advocate for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 29.09.2016 (Annexure P-4) vide which the trial Court had dismissed the application filed under Order 7 Rule 11 read with Section 151 CPC for rejection of the plaint as the plaintiff/respondent No.1 had not affixed the ad valorem Court fees.
2. Learned counsel for the petitioner has submitted that in view of the judgment passed by the Coordinate Bench of this Court in *Arun Kumar Goyal Vs. Payal Aggarwal*, reported as 2013(4) RCR (Civil)93, since revision petition against the impugned order is not maintainable at the instance of the defendant, thus, he seeks permission of this Court to withdraw the present revision petition with liberty to the petitioner to take up all the points which have been raised in the present revision petition and are available to her during the course of trial, in accordance with law.
3. In view of the above, the present revision petition is dismissed as withdrawn with liberty aforesaid.

11.03.2025

*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**