



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.2233 of 2022 (O&M)

Date of Order:29.04.2025

Paramjit Kaur

.Petitioner

Versus

Paramjit Kaur

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kulwinder Singh, Advocate, for
Mr. S.S.Sarwara, Advocate
for the petitioner.

Mr. Rajesh Punj, Advocate
Ms. Kulwinder Kaur, Advocate
for the respondent

ANIL KSHETARPAL, JUDGE (Oral)

1. The petitioner herein is a defendant. In fact, the plaintiff is Paramjit Kaur wife of Amrik Singh, whereas defendant is Paramjit Kaur widow of late Sh. Dalbir Singh.
2. Paramjit Kaur wife of Amrik Singh entered into an agreement to sell with respect to a house on 20.10.2016, in favour of Paramjit Kaur widow of late Sh. Dalbir Singh.
3. Subsequently, Paramjit Kaur wife of Amrik Singh filed a suit for declaration to the effect that the agreement to sell stands rescinded and the earnest money paid by the defendant stands forfeited. She also sought relief of possession of the house in question as well as recovery of Rs.1,00,000/- apart from seeking the relief of possession. The defendant filed an application under Order 7 Rule 11 CPC which has been dismissed.
4. The dispute is with regard to the liability of the plaintiff to pay



ad-valorem court fee qua the relief of possession and recovery of damages. While filing the suit, the plaintiff has paid Rs.1500/- towards the relief of declaration, possession and permanent injunction. She has also paid ad-valorem court fee on Rs.1,00,000/- which is sought to be recovered.

5. Qua relief of possession, the plaintiff is required to pay the ad-valorem court fee on the market value of the property. The plaintiff agreed to sell the house in favour of the defendant for Rs.9,30,000/-. Hence, the plaintiff is required to pay ad-valorem court fee on the amount of Rs.9,30,000/-. The court fee already paid by the plaintiff qua the relief of possession shall be adjusted.

6. Keeping in view the aforesaid facts and discussion, the revision petition is allowed and the impugned order passed by the trial court is set aside.

7. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

April 29, 2025

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