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

**CR-990-2021 (O&M)
Date of decision : 10.07.2025**

Kiran @ Birwati

..... Petitioner/defendant

versus

Hoshiyar Sharma & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Manoj Chahal, Advocate
for the petitioner.

Dr. Jaivir Singh Malik, Advocate
for respondent No.1.

PANKAJ JAIN, J. (ORAL)

1 Present revision petition is directed against order dated 07.01.2020 (Annexure P-3) passed by Civil Judge (Jr. Division), Bhiwani whereby application filed by the defendants seeking rejection of plaint under Order VII Rule 11 CPC stands dismissed.

2 The dispute is between husband and wife. Husband filed suit for mandatory injunction seeking direction to defendants to vacate and hand over possession of plaintiff's house on account of revoking of license. He having revoked the license, wife be directed to put him in possession of vacant possession of the same.

3 The Trial Court dismissed the application holding that the suit for mandatory injunction was maintainable since no *ad-valorem Court fee* was payable.

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4 In view of facts and circumstances of the present case, present revision petition is disposed off with a direction to the Trial Court to decide issue with respect to Court fee in accordance with law at the stage of decision of final disposal.

10.07.2025

Pooja Sharma-I

**(PANKAJ JAIN)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No