

CS 95/22

SH. NAND KISHORESAXENA ,SR. CITIZEN Vs. SMT.
MADHU SAXENA @ SUMAN SAXENA

17.03.2026

Present: None.

Vide order dated 09.09.2025, at the stage of final arguments, plaintiff was called upon to address arguments on the point of payment of court fees. Plaintiff thereafter never addressed arguments on the said point.

Perusal of plaint would show that plaintiff claims that he is in possession of the suit property and only wants a simplicitor declaration qua his ownership and declaration qua disputed documents Ex.PW1/13. These reliefs of declaration would be covered under Schedule II Article 17 (iii) of Court Fees Act, 1870 and as such plaintiff would be entitled to pay a fixed court fees on the said reliefs.

The other reliefs are independent reliefs qua injunction for which appropriate court fees has been paid. Thus, it appears that the court fees paid by the plaintiff in the present suit is as per law.

Vide separate judgment of even date, suit of the plaintiff is decreed in favour of plaintiff in terms stated therein.

Pending applications, if any, stand disposed off.

Let a decree sheet be prepared.

File be consigned to Record Room.

Aashish Gupta
DJ-01/NE/KKD/DELHI
17.03.2026