

CS DJ 732/17
MEENAKSHI Vs. RAJ KUMARI

06.09.2023

Present: Sh Manish Dahiya, Id proxy counsel for the plaintiff.
Sh Gaurav, Id proxy counsel for defendant.

Put up for order on application u/o VII Rule 11 CPC
at 04:00PM.

(Kishor Kumar)
ADJ-04, North, Rohini Courts,
Delhi/06.09.2023

At 04:00 PM.

Present: None for the parties.

Arguments on the application u/o VII Rule 11 CPC
heard.

By way of this application, the defendant is seeking rejection of the plaint that the plaintiff has not valued the suit for the purpose of court fees and jurisdiction properly.

Reply to the present application has been filed on behalf of the plaintiff wherein the plaintiff has prayed for dismissal of the present application.

I have heard Id counsel for the parties and have gone through the record.

Present suit has been filed by the plaintiff for specific performance of an oral agreement in the sum of Rs.5 lakh, vide which the mother in law/defendant had agreed to transfer the ground floor of the property bearing House no.220, Plot no. 32, Khasra no.13/6, Street no. 13, Block B, near St Rose Marry School, Saroop Nagar, New Delhi.

It is seen that for the purpose of valuation of the suit, the plaintiff has valued the suit at Rs.5 lakh for the relief of specific performance on which advalorem court fees of more than Rs.7,200/- has been paid by the plaintiff. From such valuation of the suit, it cannot be said that the plaintiff has not properly valued the suit.

This was the only objection taken by the defendant in his application u/o VII Rule 11 CPC.

In view of my observation hereinabove, the application u/o VII Rule 11 CPC of defendant is hereby dismissed.

Put up the case for further proceedings on **12.01.2024.**

(Kishor Kumar)
ADJ-04, North, Rohini Courts,
Delhi/06.09.2023