

Sharanjeet Kaur & another Vs. Ravinder Kaur & others

Present: Sh. D.S. Dhaliwal Advocate for the applicants/plaintiffs.

Learned counsel for the plaintiffs has filed an application for putting up the case file and to extend the status quo order dated 21.05.2024 as per the order of Hon'ble High Court in CR No. 7407 of 2024 vide its order dated 19.12.2024.

2. File taken up today as per order dated 24.12.2024 and notice of this application be given to the opposite party for 13.01.2025. Ahlmad is directed to issue summons immediately and Learned counsel for the plaintiff is requested to take the summons for dasti service.

The order dated 19.12.2024 in CR No. 7407 of 2024 passed by Hon'ble High Court is reproduced here as under:-

“Learned counsel for the petitioners contains his prayer to the findings returned by the trial Court to the extent of calling upon the petitioners to deposit the ad valorem Court fee on the sale deeds executed by their father which is under challenge but has very fairly submitted that there is no dispute to the settled proposition of law and their right to deposit the Court fee with regard to monetary relief prayed by the petitioners in the suit to the tune of Rs. 2,26,72,969/-. He further submits that the Court below lost sight of the fact that the said sale deeds are challenged on the strength that the same were executed by way of fraud upon the rights of the petitioners by Gurmail Singh, their father and Jagminder Singh, their brother.

Issue notice of motion for 05.02.2025.

In the meanwhile, the petitioners are directed to deposit the Court fee qua the monetary relief claimed and the trial Court shall continue the order of status quo granted on 21.05.2024 only till the next date of hearing.

Process dasti as well through the counsel appearing before the trial Court.

To be taken up immediately after the urgent cases as the small issue of Court fee shall procrastinate the trial.”

3. Perusal of this order reveals that the plaintiff has explicitly admitted that they have deposited deficit Court fees with regard to the monetary relief prayed by them in the suit to the tune of Rs. 2,26,72,969/-. However, they challenged their liability for affixing Court fees with respect to the sale deeds under challenge. The Hon’ble High Court directed the plaintiffs that they should deposit the Court fees qua the monetary relief claimed and the trial Court shall continue the order of status quo granted on 21.05.2024 till the next date of hearing.

4. Accordingly, as per order dated 19.12.2024 passed in CR No. 7407 of 2024, the Plaintiffs are directed to deposit the Court fee qua the monetary relief claimed and the order of status quo granted on 21.05.2024 shall be extended till the next date of hearing.

PRONOUNCED IN OPEN COURT
ON: 08.01.2025.

RAJESH SHARMA
STENOGRAPHER GRADE-III.

(KARUN GARG) PCS
CIVIL JUDGE (JUNIOR DIVISION),
KHARAR (UID NO. PB00578)