

12.10.2023

Present: Plaintiff in person with Sh.D. P. Vema Adv. Ld.
Counsel for plaintiff.
Sh.Ankit Aggarwal Adv. Ld. Counsel for defendant
with defendant.
An application under Order 7 Rule 11 CPC moved
by by Ld. Counsel for defendant on the ground that suit has not
been properly valued for the purpose of court fees. Copy supplied
today. Perused, heard. Seen the pleadings.

The plea of inadequacy of the valuation and the
filing of the inadequate fees is a defence of the defendant.
Therefore, no case is made out for rejecting the plaint.
Application under Order 7 Rule 11 CPC is dismissed. However,
since this plea has been taken by the defendant in the written
statement, an additional issue is framed in this regard as under:.

ADDITIONAL ISSUE

**3. Whether suit has not been valued properly for the
purpose of court fees, if yes, its effect? OPD**

Affidavit of PW-1 Sh.Surender Pal is filed. Copy
supplied today. PW-1 Sh.Surender Pal is examined in chief.
Cross examination is deferred at request of Ld. Counsel for
defendant submitting that copy of affidavit has been supplied
today.

Put up for cross examination of PW-1 on
17.02.2024.

(Munish Markan)
ADJ-02(SE)/District Courts, Saket,
New Delhi/12.10.2023