

MHKO150004792019



R.C.S. No. 83/2019
Chimaji vs. Baburao

Order passed below Exh. 01

For the inspection compliance of year 2022, the matter is taken on today's board.

2. Heard learned advocate for plaintiff.

3. Perused record.

4. The inspection report has directed for compliance of present suit in respect of court fee. The present suit filed by plaintiff for declaration and perpetual injunction of suit property. The plaintiff has prayed declaration and perpetual injunction of suit property and suit property is agricultural land. The plaintiff prayed declaration and perpetual injunction of agricultural land. The Maharashtra Court Fee Act section 6 (d) provided that, court fee of ownership leviable as per suit for possession. The Maharashtra Court Fee Act section 6 (v) provided that, for the possession of land, houses and gardens. The court fee is needs to be calculated as agricultural land 40 times of the survey assessment and if settlement completed it is 80 times of the survey assessment. In respect of house property, the court fee needs to be pay on market value of house. In present suit, the plaintiff claimed declaration of agricultural land. The plaintiff prayed injunction of suit property. In this circumstance, I conclude that the court fee needs to be calculated as per section 6 (v). The court fee

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for injunction is fixed court fee and its valuation is Rs. 1,000/-. The plaintiff has paid Rs. 400/- as court fee. The 7/12 extract of suit property shows that, the assessment of property is 4.31 paise. The record shows that, the required court fee has paid by plaintiff. Therefore, I conclude that there is no insufficient court fee and the court fee is sufficient. Hence, I conclude that the compliance of inspection is completed accordingly.

Date : 18/04/2022.

(S. P. Jadhav)
Civil Judge J.D., Ajara.

Certificate

I affirm that the contents of this P.D.F file Judgment / Order are same, word to word, as per the original Judgment / Order.

Name of the Stenographer	Mrs. Y.S. Chavan
Name of Court	C.J.J.D. Ajara
Judgment / Order dictated on	18-04-2022
Judgment / Order typed on	18-04-2022
Judgment / Order signed by the P. O. on	18-04-2022
Judgment / Order uploaded on	19-04-2022