

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F.A. (Filing) No.7351 of 2025

Narendra Nath Singh ... Appellant
Versus
Smt. Jyoti Priyanka Prasad and Ors.... Respondents

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellant : Mr. Ayush Aditya, Advocate
For the Respondents :

03/09.10.2025

The learned counsel for the appellant has submitted that I.A. No.12249 of 2025 has been filed for ignoring the defect with regard to payment of advalorem court fees. He has referred to Court Fees (Bihar Amendment) Act, 2007 Schedule II Entry 13 to submit that in a suit seeking declaration without consequential relief, a fixed court fee of Rs.1,000/- is payable. The learned counsel submits that the office has pointed out defect that advalorem court fees would be payable.

2. He has also referred to judgement passed by Hon'ble Patna High Court *2008 Supreme (Pat) 237 (Devasharay Singh Vs. Saroj Kumar @ Saroj Singh)* paragraphs 5 and 6.

3. The relief prayed for in the suit is for a decree declaring that Sale Deed No. 1377 dated 17.11.2017, executed by defendant nos. 2 to 10 in favour of defendant no. 1, is null and void ab initio, not acted upon, inoperative, and not binding upon the plaintiff.

4. Considering the nature of relief and the aforesaid provision of law and the judgement, the office objection with regard to payment of ad valorem court fees is hereby ignored.

5. I.A. No.12249 of 2025 is allowed.

6. Office to proceed accordingly.

(Anubha Rawat Choudhary, J.)

09.10.2025.

Saurav/