



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-6133-2022 (O&M)

Date of Decision: 11.05.2026

MANJIT SINGH

....Petitioner

V/s

JAGRAJ SINGH AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. N.S. Dadwal, Advocate
for the petitioner.

Mr. Munish Garg, Advocate
for respondents No.1 to 3.

VIKRAM AGGARWAL, J. (ORAL)

The instant revision petition assails the order dated 08.12.2022 (Annexure P-1) passed by the Court of Civil Judge (Junior Division), Barnala, vide which the application filed under Order 7 Rule 11 of Code of Civil Procedure (for short 'CPC') for rejection of plaint, was allowed and the petitioner/plaintiff was ordered to affix *ad-valorem* court fee on the amount of compensation claimed.

2. The facts, as emanating from the revision petition are that a suit for damages and compensation on account of registration of a false case and for the loss suffered by the petitioner/plaintiff (Annexure P-2) was instituted with the following prayer:-

“Therefore, by filing this plaint, it is prayed that the suit of Rs.27,50,000/- being damages and compensation for lodging a false case and loss suffered may kindly be decreed in favour of the plaintiff and against the defendants with costs and interest from the date of filing the plaint till the decision of the case may also be decreed in favour the plaintiff and against the defendants. Dated:26.10.2021.”



3. An application under Order 7 Rule 11 CPC (Annexure P-3) was moved, seeking rejection of the plaint on the ground that *ad-valorem* court fee had not been affixed on the amount of compensation of Rs.27,50,000/- claimed in the suit. The said application was opposed by way of a reply (Annexure P-4) in which it was averred that the exact amount had not been mentioned.

4. By way of the impugned order, the application was allowed and a direction was issued to the petitioner-plaintiff to pay *ad-valorem* court fee on the sum of Rs.27,50,000/-. Against the said order, the instant revision petition has been filed.

5. Learned counsel for the petitioner submits that no specific amount has been claimed and, therefore, the impugned order is not sustainable.

6. Per contra, learned counsel for the respondent submits that a sum of Rs.27,50,000/- had duly been claimed and that on the said amount the petitioner-plaintiff was required to pay the *ad-valorem* court fee. In support of his contention, learned counsel has relied upon a judgment of the Apex Court in the case of ***State of Punjab and others Vs. Dev Brat Sharma, 2022 (2) RCR (Civil) 464.***

7. I have considered the submissions made by learned counsel for the parties.

8. The prayer clause of the plaint clearly shows that a sum of Rs.27,50,000/- was claimed as compensation. It is well settled that where the amount of damages is not quantified, *ad-valorem* Court fee is not required to be affixed. In the case of ***Dev Brat Sharma (supra)***, the Supreme Court of India held that where the amount of damages is quantified, *ad-valorem* court fee would have to be paid. In the present case also, the amount has been quantified.



9. That being so, the trial Court did not commit any irregularity in allowing the application under Order 7 Rule 11 CPC. Under the circumstances, the instant revision petition is devoid of merit and is accordingly, dismissed.

10. Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

May 11, 2026
Mani Kumar

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No