

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	09.03.2026		<p>FA No.52 of 2023</p> <p><u>Hon'ble Siddhartha Sah, J.</u></p> <p>Mr. Rajendra Singh Azad, learned counsel for the appellants through V.C.</p> <p>2. Mr. I.P. Kohli, learned Standing Counsel for the State/respondent nos.1 and 2.</p> <p>3. Mr. Manoj Pant, learned Standing Counsel for the Union of India/respondent nos. 3 and 4.</p> <p><u>IA No. 3 of 2026 for amendment</u></p> <p>4. The present application has been preferred on behalf of the appellants seeking permission to allow the amendment application and to permit the appellants to incorporate the following amendment in the Memo of First Appeal filed by them before the line court fee Rs.10/- on page no. 2. <i>“Valuation of appeal for the purpose of Appeal:- 04,15,000/-”</i></p> <p>5. The said amendment application is duly supported by an affidavit on behalf of the appellants, wherein it has been stated that, as per the information given by their counsel, when they inquired about the status of the case, the Registry had raised certain defects in the First Appeal preferred by the appellants, i.e., that the valuation of the appeal had not been mentioned. It has further been stated in the affidavit that the amendment application has been filed to amend the First Appeal to the extent of valuation of the appeal for the purpose of paying the court fee, which has been assessed at Rs.04,15,000/-.</p>

6. An objection has been raised by the learned State Counsel that in the appeal the relief claimed is more than the valuation mentioned for the purpose of court fee. He has drawn the attention of this Court to Clause No. 2 of the appeal and contended that the valuation of the appeal would be more than the valuation sought to be amended.

7. In reply to the contention raised by the learned State Counsel, Mr. Rajendra Singh Azad, learned counsel for the appellants, submits that the appellants have forfeited the extra value of the particular land and, in paragraph 6 of the affidavit, it has been categorically stated that the appellants are praying for enhancement only in the First Appeal and the difference amount is Rs.04,14,051.77/- for the purpose of paying the court fee in the present First Appeal.

8. In such view of the matter, the amendment application is allowed. Let the amendment sought in the Memo of Appeal be incorporated within a period of one week.

9. The amended Memo of Appeal be placed on record within a period of one week.

Misc. Application IA No. 4 of 2026

10. IA No. 4 of 2026 has been filed on behalf of the appellants under Section 149 of the CPC seeking one month's time for tendering the court fee.

11. The said application is duly supported by an affidavit on behalf of the appellants, wherein it is stated that, as per the information given by their counsel, when they inquired about the status of the case, the Registry had raised certain defects

in the First Appeal preferred by the appellants. It has further been stated that the appellants are not in a position to pay the court fee at once as they are poor, simple-living farmers and therefore require one month's time to deposit the court fee in the present First Appeal.

12. No serious objection has been raised on behalf of the State.

13. In that view of the matter, IA No. 4 of 2026 is hereby allowed. The appellants are granted one month's time to tender the requisite court fee.

14. List on 07.05.2026 for further consideration.

(Siddhartha Sah, J.)

09.03.2026

BS