

(1979) 01 P&H CK 0002

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Miscellaneous 3624/CII/78 and Civil Miscellaneous 3604/CII of 1978 in
EX-Objection No. 35/CII/78 in F.A.O. No. 242 of 1978

Union of India

APPELLANT

Vs

Virsa Singh

RESPONDENT

Date of Decision: Jan. 5, 1979

Acts Referred:

- Requisitioning and Acquisition of Immovable Property Act, 1952 - Section 11

Hon'ble Judges: S.P. Goyal, J

Bench: Single Bench

Advocate: S.S. Shergili, for the Appellant; Suresh Amba, for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

S.P. Goyal, J.

The award passed under the Requisitioning and Acquisition of Immoveable Property, Act, 1952, is appealable as such u/s 11 of the Act. The Court fee payable on such appeal is Rs. 5.25. As held by a Division Bench of this Court in Major Trilok Nath Bhargava and another v. Smt. Jaswant Kaur and Another (1975) 77 P.L.R. 422, the cross objections have to bear the same court fee as would have been payable if an appeal would have been filed instead of the cross-objections. The court fee payable, therefore, on the cross-objections would be only Rs. 5.25 and the applicant is entitled to refund of the remaining court fee paid in excess of the said amount. Necessary certificate, therefore, may be issued to the applicant for the refund of the amount of the excess court fee. In view of this order, Civil Misc. No. 3604-CII of 1978 has become infructuous and is accordingly dismissed.