

CHAPTER 3
Valuation of Suits
 PART A.—GENERAL

1. **General:-** It should be remembered that the value of a suit for the purposes of the Court-fees Act, 1870, and its value for the purposes of jurisdiction are not necessarily identical, and are frequently very different. The value for the purposes of court-fee is determined by the Court-fees Act, 1870 (as amended), and for purposes of jurisdiction by the Suits Valuation Act, 1887, and the rules made thereunder. In certain classes of suits the value for the purposes of court-fee also can be fixed by rules under section 9 of the Suits Valuation Act.
2. **Part I of Suits Valuation Act extended to Punjab:-** Part I of the Act was extended to this State by Central Government, Home Department, Notification No. 210, dated the 20th February, 1889, and the Punjab Government has made rules under section 3 of the Act determining the value of land and of certain interests therein, for purposes of jurisdiction in the suits mentioned in the Court-fees Act, 1870, section 7, paragraph (v) and (vi) and paragraph (x), clause (d), which are republished in Part D of this Chapter.
3. **Rules under section 3 of the Act apply to all classes of land in the Punjab:-** No restrictions under section 3, sub-section (2), of the Suits Valuation Act have been imposed as to the classes of land to which the rules apply, or as to the local extent of their operation, and they apply, therefore to all land generally throughout the State, whether assessed to land revenue or not.
4. **Land suits falling under section 7(iv) or article 17, 22, Schedule II of the Court Fees Act:-** Section 4 of the Suits Valuation Act provides that, where a suit mentioned in the Court-fees Act, section 7, paragraph (iv), or Schedule II, Article 17 or 22, relates to land or an interest in land, of which the value has been determined by the rules made under section 3, the amount at which the relief sought in the suit is valued for purposes of jurisdiction shall not exceed the value of the land or interest as determined by those rules.
5. **Other suits under section 7 of court fees Act:-** The suits falling under the Court-fees Act, section 7, paragraphs (i, ii, iii, iv, vii, viii, x) (a), (b), and (c), and (xi), (a) to (f), inclusive, are either such as are subject to an ad valorem court-fee, in regard to which the value for the purposes of computing the court-fee and the value for the purpose of determining jurisdiction are, under section 8 of the Suits Valuation Act, 1887, the same; or suits dealt with by directions made by the High Court under section 9 of the Suits Valuation Act.
6. **Value of suits governed by rules made under section 9, Suits Valuation Act:-** Section 8 of the Suits Valuation Act gives the general rule as stated above, but when the value of a suit for purposes of jurisdiction and court-fees is determined by rules under section 9, (ibid) the value as determined by the rules must be accepted.
7. **Plaint should show value for purposes of Court-fees and jurisdiction:-** In order to guard against mistakes as to the value of a suit for purposes of jurisdiction and of court-fees, respectively, every plaint ought upon its face to show the value for purposes of jurisdiction as well as the value for the purpose of computing court-

fees. The former information is requisite in order that the Court may determine whether the plaint should be returned under Order VII, Rule 10, of the Code of Civil Procedure. When a plaint omits to disclose the value of the suit for the purposes of jurisdiction, the person presenting it should be questioned, and his answer recorded on the plaint, unless he consents to amend it then and there.

8. **Value in cases governed by Section 7 (iv) and Schedule II, article 17 of the Court Fees Act:-** Special care is necessary with respect to cases falling under the provisions of section 7, paragraph (iv) and Schedule II, Article 17, of the Court-fees Act, in valuing suits for the purposes of jurisdiction and court-fees. A table showing the value of different classes of suits for purposes of jurisdiction and court-fees, following the classification of suits in the Court fees Act, has been prepared and attached to this Chapter. It must be clearly understood, however, that this table in itself has no legal force, and that it is merely intended for ready reference by the Courts in dealing with questions of value.
9. **Value of certain suits left to judicial decision:-** There is no express provision in the Suits Valuation Act 1887, in regard to the classes of suits mentioned below, and they do not admit of being disposed of by rules under Part I, nor are they dealt with by directions under Part II of the Act. The Valuation of such suits, therefore, must be left to judicial decision, as occasion arises. The suits are:-
 Suits for houses;
 suits for pre-emption in respect of houses;
 Suits for removal of attachment of houses;
 Suits falling under Schedule Article 17, clause (iv), which are not provided for by the rules under-section 3 or directions under section 9, or by section 4 of the Suits Valuation Act; suits falling under section 7, sub section (x) clause (d) of the Court-fees Act, and relating to property other than land.
10. **Fixing valuation not necessary in certain cases:-** In the case of some classes of suits or petitions, e.g. suits under section 28 of the Sikh Gurdwaras Act, 1925, or petitions under the Guardians and Wards Act, 1890 the law allows no choice as regards the Court in which proceedings must be taken. There is, therefore, no necessity in such cases to fix any valuation for the purpose of determining jurisdiction.
