



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

146

CR-4717-2026**Date of Decision: 01.07.2026**

ROSHAN BHARTI

...Petitioner

Versus

ROSHAN LAL AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Surinder Mohan Sharma, Advocate,
for the petitioner.

VIKAS SURI, J. (ORAL)

1. This petition has been filed by the plaintiff-petitioner for setting aside the order dated 16.05.2026 passed by the trial Court, whereby the application filed under Order 7 Rule 11 CPC for rejection of plaint has been partially allowed.

2. The facts in brief are that the plaintiff filed a suit for rendition of accounts and for passing a decree of possession by way of specific performance in respect of the suit land measuring 29 kanals 01 marla, on the basis of agreement to sell dated 02.02.2015, which superseded an earlier agreement dated 25.08.2010. Vide the impugned order dated 16.05.2026, it was held in respect of rendition of accounts that, as no definite amount was mentioned in the plaint, the amount to be decreed can only be determined at the final adjudication of the matter and the plaintiff may be directed, at that stage, to affix the Court fee, as per the decision on final adjudication. Thus, there was no requirement to affix *ad valorem* Court fee for the relief of rendition of accounts at the initial stage. However, with regard to the prayer



for decree for specific performance on the basis of agreement to sell, the trial Court held that *ad valorem* Court fee on the consideration amount mentioned in the agreement to sell is required to be affixed.

3. After arguing for some time, learned counsel for the petitioner, on instructions from the petitioner, who is stated to be present in Court, seeks withdrawal of the present petition with liberty to approach the learned trial Court by way of miscellaneous application seeking amendment of the plaint, thereby withdrawing his plea for specific performance of agreement to sell.

4. Considering the totality of the circumstances and the limited prayer made on behalf of the petitioner, the present petition is dismissed as withdrawn with liberty aforesaid.

July 01, 2026
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No