



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

CR-7383-2025

Date of decision : 15.10.2025

M/s R.P. Products India and another

... Petitioners

Versus

Halwai Association (Regd.) and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Aayush Gupta, Advocate
for the petitioners.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India with the prayer for setting aside the impugned order dated 13.08.2025 passed by the Civil Judge (Jr.Div.), Ludhiana.
2. Learned counsel for the petitioners has submitted that in the present case a perusal of the plaint would show that specific performance has been sought of the agreement dated 09.08.2021 with respect to the property bearing no.115-116 which includes ground floor as well as first floor. It is submitted that it is the case of the petitioners in the plaint that possession of the ground floor was given long back and has submitted that a perusal of rent agreement dated 09.08.2021 (Annexure P-3) would show that there is a specific reference of the ground floor being given on rent by



virtue of resolution dated 24.11.2009 and the said agreement was extended further. It is submitted that even in the agreement dated 09.08.2021 (Annexure P-4) of which specific performance was sought, there is specific mention that possession of ground floor of property no.115-116 is already with the petitioners and that the value of Rs.1 crore was with respect to the entire property which included the ground floor bearing no.115-116. It is submitted that by virtue of the agreement dated 09.08.2021 (Annexure P-4) the possession only of first floor has been given and thus in case penalty with respect to the agreement dated 09.08.2021 (Annexure P-4) was to be levied, then the total value of the property should not have been considered as Rs.1 crore which has been done in the impugned order.

3. On a pointed query raised by this Court with respect to the fact that as to whether the said issue was raised before the trial Court, learned counsel for the petitioners has very fairly submitted that the said issue was not raised before the trial Court.

4. Learned counsel for the petitioners seeks to withdraw the present petition with liberty to move an appropriate application before the trial Court for clarification / modification of the order dated 13.08.2025 highlighting the said aspect.

5. In view of the above, the present petition is dismissed as withdrawn with the aforesaid liberty.

6. It is made clear that this Court has not opined on the merits of any such application which the petitioners propose to file and in case any



such application is filed within a period of one week, then the trial Court would consider the same in accordance with law after hearing all the parties concerned.

(VIKAS BAHL)
JUDGE

October 15, 2025.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No