



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1751 OF 2026

Prakash s/o Radheshyam Agrawal

Vs.

Subash s/o Radheshyam Agrawal and Ors.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr. S.V. Purohit, Advocate for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 25.02.2026

Heard learned counsel for petitioner.

2. The petitioner's challenge is to order dated 16.12.2025 passed by the trial Court on an application under Order VII Rule 11(b) and (c) of the Code of Civil Procedure, by which, the Court has directed the plaintiff to value the suit in accordance with Section 6(iv)(d) and 6(vii) of the Maharashtra Court Fees Act.

3. Learned counsel for the petitioner submits that the suit itself was valued properly and the details of valuation are mentioned in para 31 of the plaint and requisite court fee is already paid. He further submits that the impugned order is passed without considering the prayer clauses as incorporated in the plaint.

4. In view of this, issue notice to the respondents, returnable after three weeks.

5. The petitioner is permitted to serve the respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

6. In the meantime, there shall be ad-interim stay in terms of prayer clause (2).

**(Prafulla S. Khubalkar, J.)**