

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

**CR No. 3048 of 2015 (O&M)
Date of Decision: 11.05.2015.**

Harbans Singh

.. Petitioner

versus

Somnath (deceased) through LR

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Madan Lal Saini, Advocate for the petitioner.

Rajesh Bindal, J.

Learned counsel for the petitioner submitted that though the application filed by the petitioner under Order 38 Rule 5 of C.P.C. seeing attachment of the property of the defendant before the judgment was dismissed as the Court *prima facie* did not find that there was any effort to sell the property, however, considering the statement made by defendant in reply to the application filed by the petitioner under Order 38 Rule 5 of C.P.C., wherein it has been stated that he has no intention to alienate the property, he may be permitted to withdraw the present petition.

Ordered accordingly.

11.05.2015

Manoj Bhutani

(Rajesh Bindal)
Judge