

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

**CR No. 4677 of 2014 (O&M)
Date of Decision : 10.03.2015**

Amar Nath and others

....Petitioners

versus

Babu Ram

...Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Shrey Goel, Advocate for
Mr. J.K.Goel, Advocate for the petitioners.

Rajesh Bindal, J.

The challenge in the present petition is to the order dated 17.04.2013 passed by the learned Additional District Judge, Karnal whereby appeal filed against the order dated 26.09.2011 passed by the learned Addl. Civil Judge (Senior Division), Karnal, dismissing the application filed by the petitioner under Order XXXIX Rule 2A CPC was dismissed.

The parties to the dispute are real brothers. Learned counsel for the petitioner further submitted that the respondent-plaintiff had withdrawn the suit. The property in question is joint and he is in exclusive possession of the suit land.

Considering the fact that the suit has already been withdrawn and the parties to the dispute are real brothers, I do not find any reason to interfere in the order, at this stage.

Dismissed.

10.03.2015
Manoj Bhutani

(Rajesh Bindal)
Judge