

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 5439 of 2013 (O&M)
Date of decision: 20.7.2015

Surji and another

.. Petitioners

v.

Mamla and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. S. K. Yadav, Advocate for the petitioners.
Mr. J. P. Sharma, Advocate for the respondents.

...

Rajesh Bindal J.

Challenge in the present petition is to the order dated 21.8.2013, passed by the court below, whereby the application filed by the petitioners-plaintiffs for withdrawal of the suit with permission to file a fresh one for the same relief and also further relief by impleading additional parties, was dismissed.

The suit, which the petitioners, seek to withdraw and file fresh one for the same relief, was filed way back on 30.4.2007. A perusal of the impugned order shows that proceedings therein have already been concluded as the same was fixed for rebuttal evidence and for arguments. In case, there was any objection by the defendants or any material had come to the notice of the petitioners-plaintiffs, they could avail of appropriate remedy at that stage. No illegality has been committed by the court below in declining the prayer made by the petitioners to withdraw the suit with

permission to file fresh one.

The petition is, accordingly, dismissed.

(Rajesh Bindal)
Judge

20.7.2015
mk