

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

Date of decision:02.02.2015.

Kulwant Singh and another

.....Petitioners

v.

Bharat Bhushan and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.DS Pheruman,Advocate for the petitioners

Jaswant Singh,J.(Oral)

Defendants 9 and 10, who are subsequent vendees, are in revision aggrieved by the order dated 14.1.2015 (P-5) passed by Additional Civil Judge (Senior Division)Batala whereby their application for additional evidence has been dismissed.

It is apparent that respondent no.1/plaintiff-Bharat Bhushan filed a suit for declaration to the effect that plaintiff and defendant no.1, who is cousin, are co-owners in joint possession of land measuring 11K5M being their share out of total land described in the plaint being the only legal heirs of Smt.Veero Devi, their grand mother, on the basis of a registered Will dated 11.8.1997 with consequential relief of permanent injunction restraining defendants 9 and 10 from alienating the suit land in any manner. Defendants 2 to 8 are rest of the family members. Petitioners/defendants 9 and 10 are stated to be owner in possession of said 11K5M on the basis of two registered sale deeds

dated 8.5.2009 for a consideration of Rs.9,80,000/- executed in their favour by defendant no.2-Chaman Lal who is uncle of the plaintiff.

It is conceded that after the evidence of the defendants has been closed on 5.11.2014, application dated 5.12.2014 (P-3) has been made for examining Deed Writer and Clerk from the office of Sub Registrar, Gurdaspur to prove the sale deeds dated 8.5.2009 executed by defendant no.2-Chaman Lal in favour of defendants 9 and 10, which has been dismissed vide impugned order dated 14.1.2015 (P-5) on the ground that defendants have already availed as many as 10 opportunities to conclude their evidence and also already examined the attesting witness of the sale deeds.

At the time of hearing at the very outset learned counsel for the petitioners makes a statement at the Bar praying for permission to withdraw the present revision petition.

In view of the statement made at the Bar, present revision petition is dismissed as withdrawn.

02.02.2015
joshi

(Jaswant Singh)
Judge