

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

Date of decision:16.02.2015.

Vinod Kumar Giri

.....Petitioner

v.

Bhajan Singh

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Ms.Geeta Sharma,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Defendant/landlord is in revision under Article 227 of the Constitution aggrieved by the order dated 3.1.2015 (P-1) passed by learned Additional District Judge, Ludhiana whereby miscellaneous appeal of the plaintiff/tenant under Order 39 Rules 1 and 2 CPC has been allowed and the defendant/landlord inter alia has been directed to remove his lock from the shutter of the shop in dispute and further restrained from interfering with the activities of the tenant to carry on his business in the said premises.

It is apparent that the lower Appellate Court on the basis of a *kalendra* report held that a strong prima facie case exists in favour of the plaintiff, who has been dispossessed illegally and forcibly by the defendant, by taking law into his own hands, from the shop in dispute. While issuing directions to the landlord vide impugned order dated 3.1.2015, interest of the landlord has been secured by directing plaintiff

to conclude his evidence within three months from 28.1.2015.

After making submissions at length, learned counsel for the landlord prays for permission to withdraw the present revision petition since in para 25 of the impugned order, interest of the landlord has been secured.

In view of the statement made at the Bar, present revision petition is dismissed as withdrawn.

16.02.2015
joshi

(Jaswant Singh)
Judge