

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

**CM No. 2612-CII of 2015 in/and
FAO No. M-124 of 2008
Decided on : 19.02.2015**

Harjinder Pal Singh Sekhon

... Appellant

Versus

Smt. Rajinder Bajwa

... Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE SNEH PRASHAR**

PRESENT: Mr. Harminder Singh, Advocate
for the applicant-appellant.

Mr. H.S. Tuli, Advocate for
Mr. S.S. Rangi, Advocate
for the non-applicant/respondent.

AJAY KUMAR MITTAL, J. (Oral)

CM No. 2612-CII of 2015

This is an application filed under Order 23 Rule 3 read with
Section 151 CPC, seeking withdrawal of the appeal.

It has been averred in the application that the matter has been
amicably settled between the parties vide compromise-deed dated
06.12.2014. The copy of compromise-deed has been appended along with
the application, as **Annexure A-1**.

Notice of this application.

Mr. H.S. Tuli, Advocate for Mr. S.S. Rangi, Advocate, accepts
notice on behalf of the non-applicant/respondent and pleads no objection to
the withdrawal of the appeal.

After hearing learned counsel for the parties and perusing the contents of the application, which is supported by an affidavit of the applicant-appellant, the Civil Miscellaneous Application is hereby allowed and the applicant-appellant is permitted to withdraw the appeal.

FAO No. M-124 of 2008

At the oral request of learned counsel for the parties, the main appeal is taken up for hearing today.

2. In view of the order of even date passed in CM No. 2612-CII of 2015, the appeal stands dismissed as withdrawn. However, liberty is granted to the appellant to move an application for revival of the appeal, in case the compromise-deed dated 06.12.2014, is not acted upon by the respondent.

**(AJAY KUMAR MITTAL)
JUDGE**

**(SNEH PRASHAR)
JUDGE**

February 19, 2015

J.Ram