

In the High Court of Punjab and Haryana at Chandigarh.

**CWP No. 3337 of 2014
Decided on 01.10.2015**

Amarjit Kaur

--Petitioner

Vs.

Union Territory of Chandigarh and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Ms. Isha Goyal, Advocate, for the petitioner

Mr. Sukant Gupta, Advocate, for respondent Nos.1 to 4

Mr. Vishnu Godara, Advocate, for
Mr. Sumeet Goel, Advocate, for respondent No.5.

Rakesh Kumar Jain,J: (Oral)

On 12.1.2015, the following order was passed by this Court:-

“The learned counsel appearing on behalf of the petitioner will take appropriate instructions on whether he will withdraw the writ petition and allow a civil court adjudication on the genuineness or otherwise of the agreement that is sought to be enforced. A criminal complaint is with reference to the very same agreement which is the subject of suit and in my prima facie view, the finding regarding the genuineness of the document in a civil court will prevail over any decision on a criminal complaint”.

Undisputedly, civil suit filed for specific performance of the agreement to sell dated 27.8.2010 by the petitioner Vijayant Chaudhary arrayed as an accused in FIR No.172 dt.10.10.2008 has been decreed on 20.8.2015 upholding the validity of the agreement regarding which the petitioner who is the widow of Kanwar Jagdish Singh Sawhney (vendor)

has registered the FIR.

Learned counsel for the petitioner, however, submits that the appeal against the judgment of the civil court dated 20.8.2015 is pending and stay has been granted.

Be that as it may, learned counsel for the petitioner prays for withdrawal of this petition at this stage.

Dismissed as withdraw at this stage.

01.10.2015
rr

(Rakesh Kumar Jain)
Judge