

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

**RSA No.4841 of 2010(O&M)
Date of Decision: 30.04.2015**

Pehlad Singh

... Appellant

Versus

Dalip Singh & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Randeep Singh, Advocate, for
Mr. OP Goyal, Sr. Advocate,
for the appellant.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

Learned counsel for the appellant prays that he may be allowed to withdraw this appeal.

He is allowed to do so with the proviso that the evidence recorded in the Courts below will stand preserved, in case there is any future litigation on the subject matter of the suit. In case, there is any subsisting cause of action, which is substantially the same, then the evidence already recorded of the witnesses will not be allowed to be over-written and only entirely new facts will be open to be adduced by way of oral testimonies for their proof or otherwise. With this rider, the appeal is ordered to stand withdrawn. The findings of fact recorded by both the Courts below will also stand on the issues framed which also stand preserved.

30.04.2015
monika

**(RAJIV NARAIN RAINA)
JUDGE**