

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

**Regular Second Appeal No.2274 of 2011 (O&M)
Date of Decision: January 12, 2015.**

Ranjit Singh

.....APPELLANT(s).

VERSUS

Registrar, Co-op. Society, Chandigarh and others

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. A.K. Jain, Advocate
for the appellant (s).

Mr. N.K. Vema, Sr. D.A.G. Punjab
for respondents No.1 to 3.

Mr. P.S. Dhaliwal, Advocate
for respondents No.4 and 5.

Mr. Navjeet Singh, Advocate
for respondents No.6 and 7.

Mr. A.S. Jattana, Advocate
for respondent No.8.

SURINDER GUPTA, J.(Oral)

After arguing for some time, learned counsel for the appellant seeks permission to withdraw the main suit filed by Ranjit Singh (Civil Suit No.492 dated 16.10.2006 decided on 20.10.2010), submitting that the relief was to be claimed against Boota Singh in whose favour the order was passed in the revision petition No.3 of 2006 by Additional Registrar, Co-operative Societies, Punjab, Chandigarh. However, the appellant-plaintiff instead of

making Boota Singh as party, impleaded his wives Shinder Kaur and Bhinder Kaur as party. This is a technical defect in the suit. He seeks permission to file fresh suit against Boota Singh on the same cause of action.

The counsel for the respondents have no objection if the request made by the counsel for the appellant-plaintiff is allowed.

In view of the above submissions, the appellant-plaintiff is allowed to withdraw his suit mentioned above, with liberty to file fresh one on the same cause of action against Boota Singh and other defendants whosoever are required, subject to all just exceptions.

The appeal stands disposed of accordingly.

January 12, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE