

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

C.R. No.4055 of 2016

Date of Decision.14.09.2016

Mohan Singh

.....Petitioner

Vs.

Gaurav Kalra and another

.....Respondents

Present: Mr. K.S. Chahal, Advocate
for the petitioner.

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AMIT RAWAL J. (ORAL)

The counsel for the petitioner seeks liberty of this Court for withdrawal of the revision petition to move an appropriate application before the Court below for recalling of the order on the premise that the order under challenge has been passed at his back.

I have heard learned counsel for the petitioner, appraised the paper book and of the view that the order apparently does not appear to have been passed after issuing notice but the fact remains that the petitioner-defendant No.1 can always seek the vacation of the ad interim order dated 07.11.2015 in accordance with law. If he moves application for recalling of the order, it would be in fitness of thing to address the issue on main application filed under Order 39 Rule 1 and 2 CPC.

With the aforementioned liberty, the revision petition is dismissed as withdrawn.

**(AMIT RAWAL)
JUDGE**

September 14, 2016

Pankaj*

Whether reasoned/speaking Yes/No

Whether reportable Yes/No