

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

**CR No.4631 of 2015 (O&M)
Date of decision: 27.05.2016**

Kuldeep Kumar

.....Petitioner

Versus

The Sangam Co-op. House Building Society & others

.....Respondents

. . .

CORAM: HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. N.K.Setia, Advocate for the petitioner.

Mr. Satbir Mor, Advocate for respondent No.2.

Mr. H.S.Batth, Advocate for respondent No.3.

. . .

DARSHAN SINGH, J (ORAL)

Learned counsel for the petitioner states that as the suit against respondents No.1 and 5 was dismissed under Order 9 Rule 2 of the Code of Civil Procedure, 1908 (for short "CPC"), the petitioner wants to withdraw the present revision petition with liberty to move an application under Order 9 Rule 4 CPC before the learned trial Court for recalling the impugned order dated 16.04.2015. He prays that the present revision petition may be dismissed as withdrawn, however, the application moved by the petitioner for condonation of delay may be considered sympathetically by the learned trial Court.

2. In view of the aforesaid, the present revision petition is hereby dismissed with aforesaid liberty. The application, if any, moved

by the petitioner for condonation of delay, shall be considered by the learned trial Court judiciously and in accordance with law.

27.05.2016
Vinay

[DARSHAN SINGH]
JUDGE