

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

CR No.5067 of 2016

Date of decision: 25.10.2016

Murti DeviPetitioner

Versus

Sheonan Devi and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL.

Present: Mr. G.S. Duhan, Advocate for the petitioner.

REKHA MITTAL J. (Oral)

After arguing the matter for quite some time, counsel for the petitioner states that the petition may be dismissed as withdrawn without prejudice to rights of the petitioner to avail appropriate remedy, in accordance with law to challenge the preliminary decree passed by the Court. Counsel for the petitioner further states that in case the petitioner prefers an appeal now, it would be barred by law of limitation.

Dismissed as withdrawn. In case the petitioner files an appeal along with an application for condonation of delay, she would be at liberty to raise the plea that as she was pursuing her remedy before the Courts in order to challenge the preliminary decree, delay has occurred. Any such plea raised by the petitioner would be considered by the Court of appeal, in accordance with law but sympathetically.

25.10.2016
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No