

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

CR No.7059 of 2016 (O&M)

Date of decision:21.10.2016

Jasbir Singh

... Petitioner

Vs.

CANARA Bank and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Nishant Arya, Advocate, for
Mr. S.K.Verma, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Petitioner-plaintiff is aggrieved of the impugned order dated 09.08.2016 (Annexure P-5), whereby, an application under Order 7 Rule 11 of Code of Civil Procedure (hereinafter referred to as “CPC”) for rejection of the plaint moved by the respondent/defendant No.1, has been allowed.

Once the plaint has been rejected, it is the decree as per the provisions of Section 2(2) CPC and therefore, remedy is by way of filing an appeal, thus, revision petition is not maintainable.

At this stage, learned counsel for the petitioner seeks permission of the Court for withdrawal of the present revision petition with liberty to avail the remedy of appeal.

In view of the aforementioned statement made by learned counsel for the petitioner, the present revision petition is ordered to be dismissed as withdrawn with the liberty aforesaid.

(AMIT RAWAL)
JUDGE

October 21, 2016
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No