

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

**CR No. 870 of 2014 (O&M)**  
**Date of decision : March 28, 2016**

**Dr. Sohan Lal Jain**

**..... Petitioner**

**Versus**

**Punjab State and others**

**..... Respondents**

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

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

Mr. Piyush Bansal, DAG., Punjab.

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1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

**Amit Rawal, J (oral).**  
**CM No. 6330-C-II of 2016**

C.M.is allowed.

Reply by way of an affidavit of Dr. Pushpinder Kumar, Senior Medical Officer, Mansa taken on record.

**CR No. 870 of 2014 (O&M)**

The petitioner is aggrieved of the order dated 13.6.2011 and 15.11.2013 whereby application for recalling the aforementioned order has been dismissed on the ground that there is no provision on the point as to how once suit having been withdrawn by making statement can be restored or restarted. In support of his contentions, he relies upon the judgments rendered by the Hon'ble Supreme Court in **Himalayan Cooperative Group Housing Society**

**Vs. Balwan Singh 2015 (7) SCC 373 and Jet Ply Wood Private Limited and another Vs. Madhukar Nowlakha and others 2006 (2) RCR (Civil) 593.**

I have heard learned counsel for the petitioner, appraised the paper book and of the view that in view of the principles culled out by Hon'ble Supreme Court in **Himalayan Cooperative Group Housing Society's case (supra)**, statement of the parties is required to be recorded for withdrawal of the suit in order to avoid complications.

In view of the aforementioned observations, the impugned orders, aforementioned are set aside. The suit is ordered to be restored back to its original number.

The revision petition stands allowed.

**(AMIT RAWAL)**  
**JUDGE**

**March 28 , 2016**  
**archana**