

**CM No. 6001-C-2016 and
CM No. 4974-C-2016 in/and
RSA No. 1221 of 2004**

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

**CM No. 6001-C-2016 and
CM No. 4974-C-2016 in/and
RSA No. 1221 of 2004
Date of Decision: 10.05.2016**

Krishan Lal

.....Appellant

Vs.

Kapil Vij and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sandeep Punchhi, Advocate,
for the applicants
(in CM Nos. 6001-C and 4974-C of 2016) and
Mr. L.N. Verma, Advocate,
for the appellants.

Mr. Varun Parkash, Advocate, for
Mr. Amit Jain, Advocate,
for the respondents.

AMOL RATTAN SINGH, J. (ORAL)

CM No. 6001-C-2016

By this application, the applicant-appellant seeks to correct the name of his father, as given in the application seeking withdrawal of the appeal, i.e. CM No. 4974-C-2016. Though no such application has been moved for correction of the memo of parties in the main appeal, which also shows the appellant, i.e. Krishan Lal, to be the son of Kotu Ram, learned counsel for the applicant-appellant submits that if at any stage, the contents of this application are found to be incorrect, obviously the appeal

would stand revived and whatever proceedings are to be initiated against the appellant, would be so initiated at the discretion of the Court.

Keeping in view the above and the fact that the appellant is present in Court, identified by his counsel and has produced his identity cards as given hereinafter while dealing with the application for withdrawal of the appeal, the application is allowed subject to all just exceptions.

The parentage of the applicant-appellant be taken to be Narain Dass, as is given in the identity cards produced in Court today and as stated by the applicant-appellant in the affidavit accompanying this application.

The memo of parties in the main appeal be also accordingly corrected.

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By this application, the sole appellant, Krishan Lal, seeks to withdraw this appeal. The said application is duly accompanied by an affidavit, signed by the appellant and the signatures on the said affidavit seem to tally with the signature on the original power of attorney in favour of Mr. L.N. Verma and Mr. A.K. Verma, Advocates, counsel for the appellant, at the time of filing the appeal.

However, Mr. Sandeep Punchhi, Advocate, submits that this application has been filed through him, for withdrawal of the appeal, and the power of attorney in that regard, is also on

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record with the application.

The appellant is stated to be present in person, identified by Mr. Punchhi and had also produced his voter identity card, issued by Election Commission of India, as also a Kisan Credit Card, both carrying his photograph. Though the photographs are obviously of a younger person, however he is seen to be the same, though aged, person.

In view of the above, the application is allowed.

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The appeal is dismissed, as withdrawn.

**(AMOL RATTAN SINGH)
JUDGE**

May 10, 2016
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