

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

**CM No. 4366-C-2016 in/and
RSA No. 1223 of 2004
Date of Decision: 12.04.2016**

Chanan Ram and othersAppellants
Vs.

Kapil Vij and othersRespondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sandeep Punchhi, Advocate,
for the applicants (in CM No. 4366-C-2016) and
Mr. L.N. Verma, Advocate,
for the appellants.

AMOL RATTAN SINGH, J. (ORAL)

Though, by this application, the applicants seek disposal of the appeal, in terms of a compromise stated to have been reached between the appellants and the vendees of the suit land (i.e. vendees of the respondents herein), however, Mr. Sandeep Punchhi, learned counsel appearing for the applicants, submits that the appeal may be simply dismissed as withdrawn.

The applicants are stated to be present in Court today and are identified by their counsel. They have also produced in Court their identity cards by way of proof of their identities.

In the case of Chanan Ram and Kaushal, the identity cards issued by the Unique Identification of India have been produced. Desraj has produced his voter identity card. Though in the said card, his name written as Deshram son of Jhangi Ram, whereas in the appeal his name shown as Desraj, son of Jhangi

Ram, however, the photograph on the identity card is seen to be that of the person present in Court.

On a specific query put to them by the Court, all the appellants have stated that they wish to simply withdraw the appeal.

Mr. L.N. Verma, learned counsel who had filed this appeal, submits that the appellants have not informed him of the application moved for withdrawal/disposal of the appeal and as a matter of fact, he cannot identify any of them.

However, this Court having specifically called for the persons of the appellants and having verified their presence, both by their identification by the counsel who moved the application, as also by the identity cards produced in Court by the applicants-appellants, I see no reason to disallow the application.

Mr. Verma further submits that he may be considered to have not consented to the withdrawal of the appeal. That contention is duly recorded.

Consequently, the application is allowed.

RSA No. 1223 of 2004

In view of the order passed in CM No. 4366-C-2016, this appeal is dismissed, having been withdrawn.

**(AMOL RATTAN SINGH)
JUDGE**

April 12, 2016
nitin/vcgarg