

**CM No. 4362-C-2016 in/and
RSA No. 1231 of 2004**

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

**CM No. 4362-C-2016 in/and
RSA No. 1231 of 2004
Date of Decision: 12.04.2016**

Bhagwan Dass

.....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 No. 4366-C-2016) and
Mr. L.N. Verma, Advocate,
for the appellants.

AMOL RATTAN SINGH, J. (ORAL)

Though, by this application, the applicant seeks 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 Sandeep Punchhi, learned counsel appearing for the applicant submits that the appeal may be simply dismissed as withdrawn.

The applicant is stated to be present in Court today and is identified by learned counsel (Mr. Punchhi), and has also produced his identity card by way of proof of his identity, issued by the Unique Identification of India.

On a specific query put to him by the Court, he has stated that he wishes to simply withdraw the appeal.

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

However, this Court having specifically called for the appellant in person and having verified his presence both by his identification by the counsel who moved the application, as also by the identity card produced in Court by the applicant, I see no reason to dis-allow 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. 1231 of 2004

In view of the order passed in CM No. 4362-C-2016, this appeal is dismissed, having been withdrawn.

**(AMOL RATTAN SINGH)
JUDGE**

April 12, 2016
nitin/vcgarg