

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

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**C.R.No.3099 of 2014 (O&M)
Date of Decision: 20.01.2017**

Virender Singh & Anr.

..... Petitioners

Versus

Smt. Sunheri

..... Respondent

CORAM: HON'BLE MR. JUSTICE DAYA CHAUDHARY

Present:- Mr. Arvind Singh, Advocate, for the applicant/petitioner .

Mr. Navneet Singh, Advocate, for the respondent.

DAYA CHAUDHARY, J

C.M No. 16075-CII of 2016

This application has been moved under Order 23 Rule 1 read with Section 151 of C.P.C, for withdrawal of the revision petition as well as Civil Suit No 431 of 2013 titled as Virender Singh & Ors. Vs. Smt. Sunheri, which is pending before Additional Civil Judge (Sr. Division), Ganaur. A prayer has also been made for direction to refund the Court fees affixed upon the plaint.

Learned counsel for the applicant-petitioners submits that the suit was filed by the applicant-petitioners for decree of possession by way of specific performance of agreement to sell dated 20.05.2013 and the ad valorem court fees was fixed on the plaint. The petitioners were directed to deposit the balance sale consideration vide order dated 27.03.2014. The application for amendment of plaint was also dismissed on 21.04.2014. Both the orders have been challenged by way of filing the present revision petition. Learned counsel also submits that defendant has sold the land in dispute and he does not want to pursue the suit as well as the present petition.

Keeping in view the submissions made by learned counsel for the petitioner, the application is allowed and the petitioner is permitted to withdraw the civil suit as well as present civil revision petition.

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Dismissed as withdrawn.

January 20, 2017
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(DAYA CHAUDHARY)
JUDGE