

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

248

CR-5574-2016

Date of Decision:12.05.2017

Daljeet Singh & another

.....Petitioners

Versus

Amarjit Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK.

**Present: Mr.Deepak Sharma, Advocate,
for the petitioners.**

**Mr.J.S.Mehndiratta, Advocate,
for respondent No.1.**

RAMESHWAR SINGH MALIK, J.(Oral)

Feeling aggrieved against the impugned order dated 15.12.2015 (Annexure P-4) and also the subsequent order dated 13.07.2016 (Annexure P-7), passed in the review application moved by the petitioners, they have approached this Court by way of present revision petition, filed under Article 227 of the Constitution of India, for setting aside the impugned orders (Annexures P-4 & P-7).

Notice of motion was issued and in the meantime, learned trial Court was directed to adjourn the case beyond the date fixed by this Court.

Heard learned counsel for the parties.

Learned counsel for contesting respondent No.1, at the very outset, fairly states that since the application moved by the petitioners under Order 1 Rule 10 of the Code of Civil Procedure (for short “the CPC”) was

dismissed for non-prosecution and the review application was also

dismissed, let the matter be remitted to the learned trial Court for passing a fresh order, deciding the application of the petitioners filed under Order 1 Rule 10 CPC on merits.

Learned counsel for the petitioners also agrees to the fair proposal put-forth by learned counsel for respondent No.1.

In view of the above-said fair stand taken on behalf of the parties, present revision petition is disposed of, by setting aside the impugned orders (Annexures P-4 & P-7) and the learned trial Court is directed to decide the application of the petitioners moved under Order 1 Rule 10 CPC on merits, by passing an appropriate order thereon, in accordance with law.

Resultantly, with the above-said observations made and directions issues, present revision petition stands disposed of.

May 12, 2017
seema

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No