

295-4

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

**CR No.7079 of 2016 (O&M)
Date of Decision : 22.09.2017**

AMIT KUMAR AND OTHERS

....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Anil Rathee, Advocate for the petitioners.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Dr. Praveen Hans, Advocate for respondent No.5.

Mr. Tikesh Kumar, Advocate for Mr. Prashant Sethi, Advocate
for respondent No.19-D.

RAMESHWAR SINGH MALIK, JUDGE (ORAL)

Learned counsel for respondent No.5 submits that since during the pendency of the present civil revision petition, civil suit of the plaintiffs-petitioners has been dismissed by the learned trial Court, the present revision petition will not survive and the same may be disposed of as having been rendered infructuous.

The abovesaid contention raised by learned counsel for respondent No.5 has gone uncontroverted by the learned counsel for the petitioners and rightly so, it being a matter of record.

In view of the above, the present revision petition is ordered to be disposed of as having been rendered infructuous.

However, it is clarified that in case the learned first Appellate Court allows the application of respondent No.5 under Order 1 Rule 10 CPC and impleads him as party-respondent in the first appeal filed by the petitioners, then petitioners shall be entitled to challenge the said order in accordance with law.

**(RAMESHWAR SINGH MALIK)
JUDGE**

September 22, 2017
rajneesh

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No