

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

**LPA no. 1881 of 2017 (O&M)
Date of Decision :07.10.2017**

M/s Sharda Foundry and Engineering Works Proprietorship Firm and others

....Appellant(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI

Present : Ms. Isha Goyal, Advocate for the appellant(s)

MAHESH GROVER, J.(ORAL)

We have heard learned counsel for the appellants and are of the opinion that the impugned judgment does not warrant any interference with the case against having been registered in District Purulia, West Bengal and the investigation also being done in that area, the Courts at Punjab and Haryana would have no jurisdiction to entertain the petition for quashing of the proceedings. Therefore, learned Single Judge was absolutely right and confronted with this situation, learned counsel for the appellants prays for permission to withdraw the instant appeal with liberty to take recourse to their remedies before the appropriate Courts in West Bengal.

We, therefore, accept the prayer and grant permission to the appellants to withdraw the instant appeal with liberty to file a petition before the Court of competent jurisdiction.

In the given set of circumstances even though remedy was mis-
conceived and the learned Single Judge was absolutely right in imposing
costs for frivolous proceedings before this Court yet in the interest of justice,
we deem it appropriate to waive off the costs as imposed by the learned
Single Judge but with a caution to the appellants to be careful in future and
not to indulge in frivolous litigation.

(Mahesh Grover)
Judge

(Raj Shekhar Attri)
Judge

07.10.2017	
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No