

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Civil Revision No.3176 of 2018

Date of Decision: May 23, 2018

Vinod Kumar Gulati

...Petitioner

Versus

Indian Overseas Bank & others

...Respondents

**CORAM: HON'BLE MR.JUSTICE AMIT RAWAL**

Present: Mr.I.P.Singh, Advocate,  
for the petitioner.

Mr.C.S.Pasricha, Advocate,  
for the caveator.

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**AMIT RAWAL, J. (Oral)**

The present revision is directed against the impugned order dated 16.5.2017, whereby the application under Order 7 Rule 11 of CPC filed by the respondent-Bank, has been allowed.

The dismissal of the plaint has a trappings of a decree as per the provisions of Section 2 (2) of CPC and, therefore, regular appeal would lie.

Faced with this situation, learned counsel for the petitioner seeks liberty of this Court for withdrawal of the present petition to avail the remedy of appeal and seek condonation of delay by taking the aid of Section 14 of the Limitation Act.

At this stage, learned counsel for the petitioner seeks liberty for revival of the appeal which was earlier filed and withdrawn under the wrong advise.

Dismissed as withdrawn with liberty sought for.

**May 23, 2018**  
**ramesh**

**( AMIT RAWAL )**  
**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable:**

**Yes/No**