

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.3362 of 2017 (O&M)

Date of Decision.06.04.2018

Vinod Kumar Jain

.....Petitioner

Vs

Subhash Kumar Jain and others

.....Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. V.K. Jain, Senior Advocate with
Mr. J.L. Malhotra, Advocate
for the petitioner.

Ms. Munisha Gandhi, Senior Advocate with
Ms. Swati Jain, Advocate
for respondent No.1 and 2.

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AMIT RAWAL J.(ORAL)

The costs of ₹10,000/- has been paid to the counsel appearing
for respondent No.1 and 2 in cash.

Mr. Jain, learned Senior Counsel submits that he has
instructions to withdraw the revision petition with liberty to avail the
remedy, if permissible, in accordance with law.

As regards the misc. application, Ms. Gandhi, learned Senior
Counsel appearing on behalf of the respondents submits that it is futile
exercise in allowing the aforementioned application for placing on record
Annexures P-16 to P-19 as they are already on record as Annexure P-1, P-2
and P-4.

The revision petition is directed against the order declining he
application moved under Section 65 of the Indian Evidence Act for proving
the arbitral award by way of secondary evidence but the factum of the
dismissal of the suit on the same date had not been disputed. It has also

had not been assailed by any first appeal.

Be that as it may, since Mr. Jain seeks permission of this Court for withdrawal of the revision petition, the same is granted and the revision petition is dismissed as withdrawn. As regards the liberty, in case the petitioner has remedy in accordance with law, the same can be availed of, if permissible.

(AMIT RAWAL)
JUDGE

April 06, 2018
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No