

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

**CR 3575-2018 (O&M)
Date of decision: 25.05.2018**

Hardev Singh

.....Petitioner

versus

Achhra Singh and others

.....Respondents

CORAM: Hon'ble Mr. Justice Kuldeep Singh

Present: Mr. Digvijay Nagpal, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldeep Singh, J. (Oral)

Impugned in the present revision is the order dated 19.4.2018, passed by learned Additional Civil Judge (Senior Division), Nabha, vide which application filed under Order XXIII Rule 1 and 3 CPC 1908 for granting permission to withdraw the suit with permission to file a fresh one on the same cause of action was dismissed.

Heard.

It comes out that suit is now mature and stated to be fixed for arguments. Application was filed on the ground that there is some formal technical defect. However, this Court found that no formal defect is pointed out. Both the parties have already led evidence. Therefore, at this stage, the plaintiff cannot be allowed to withdraw the suit with liberty to file a fresh suit.

Resultantly, the present revision petition stands dismissed.

Since the main case has been dismissed, therefore, the pending CM, if any, also stands disposed of.

25.05.2018
gk

(Kuldeep Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes
No