

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

**CR No.5274 of 2012(O&M)
Date of Decision: 19.12.2018**

Jatinder Pal**Petitioner**
Versus
Navneet Kumar and another**Respondents**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sunil Chadha, Sr. Advocate with
Ms. Swati Verma, Advocate
for the petitioner.

Mr. Veneet Kumar Sharma, Advocate
for respondent No.1.

RAJ MOHAN SINGH, J.(Oral)

[1]. This revision petition has been preferred by the petitioner against the order dated 23.07.2012 passed by Civil Judge (Junior Division), Ludhiana vide which application filed by the petitioner/defendant No.1 under Order 7 Rule 11 read with Section 151 CPC for rejection of plaint was dismissed.

[2]. A suit for permanent injunction was filed by the plaintiff, restraining the defendants from running the business of lottery/committee, money laundering etc. other than the business mentioned in the partnership deed. Admittedly, partnership deed has not been registered.

[3]. During course of proceedings before this Court, it was stated by learned Senior Counsel for the petitioner that petitioner was never involved in running any illegal activity in the premises, nor the petitioner intends to do such activity in the future. In support of aforesaid contention, learned Senior Counsel has filed an affidavit of the petitioner/defendant No.1 to the effect that petitioner has not carried out any business of lottery/committee or money laundering in the shop in question, nor would run any business of that kind in future. The affidavit is taken on record.

[4]. Learned counsel for respondent No.1 submitted that in view of statement made by the petitioner on affidavit, the plaintiff/respondent No.1 would withdraw the suit from the trial Court.

[5]. In view of consensus arrived at between the parties, let statement of fact be made before the trial Court regarding withdrawal of the suit of the plaintiff/respondent No.1 on the next date of hearing.

[6]. This revision petition is disposed of accordingly.

19.12.2018

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No