

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

CR No.8625 of 2017
Date of decision : 09.03.2018

Hoshiyara and another

...Petitioners

Versus

Rajender

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikram Punia, Advocate for the petitioners.

Mr. Sumit Gupta, Advocate for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Counsel for the petitioners after arguing for sometime and when confronted with the preliminary objection raised by the respondent conceded that the impugned order is appealable as per the provisions of Order 21 CPC and sought permission of this Court to withdraw the present revision petition with a liberty to file the appeal before the First Appellate Court.

Learned counsel, however, submits that the revision petition has remained pending in this Court for sometime and the delay in filing the appeal should be condoned.

Revision petition is dismissed as withdrawn with a liberty aforesaid. Needless to say that the First Appellate Court would sympathetically consider the application for condonation of delay with respect to the time spent in this Court.

09.03.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No