

**Sr. No. 101
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

RSA No.1659 of 2016 (O&M)

Date of Decision: 11.10.2018

Ram Phool

... Appellant

Versus

Naveen Kumar and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. S.P.Chahar, Advocate,
for the appellant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Plaintiff-appellant Ram Phool instituted a suit seeking declaration to the effect that a relinquishment deed dated 20.06.2003 and subsequent mutation bearing No.2827 are null and void and not binding upon him. Suit was dismissed by the trial Court on 12.04.2012. A civil appeal preferred by the plaintiff/appellant has met the same fate vide judgment dated 30.11.2015 passed by the learned Additional District Judge, Rohtak.

Resultantly, the plaintiff/appellant is in second appeal before this Court.

CM No.15479-C of 2018 has been filed by the applicant/appellant with a prayer to withdraw the present appeal as also to withdraw the civil suit that had been instituted by him bearing No.89 of 2009.

As per contents of the application, the appellant wishes

to withdraw suit itself as also the instant appeal to avail of his remedy under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

Application is duly supported by an affidavit dated 03.10.2018 of the appellant himself.

Mr. S.P.Chahar, learned counsel during the course of hearing today reiterates the prayer made in the application.

In view of the above, the main regular second appeal is dismissed as not pressed. Even the prayer made by applicant/appellant for withdrawal of Suit No.89 of 2009 is accepted.

Suffice it to observe that it would be open for the applicant/appellant to pursue his remedies under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 strictly in accordance with law.

Disposed of.

11.10.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No