

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

**RSA No.3552 of 2016 (O&M)
Date of Decision.03.12.2018**

Malkiat Singh and another ...Appellants

Vs

SDO, Punjab Power Corporation Limited and others ...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. R.S. Sekhon, Advocate
for the appellants.

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AMIT RAWAL J. (ORAL)

Learned counsel for the appellants submitted that in view of the order dated 30.08.2018, which is extracted herein below, seeks permission of this Court for withdrawal of the appeal with liberty to avail remedy of partition.

“The present lis pertains to electric connection bearing No. BR-66 which was earlier in the name of Sh.Sardara Singh, father of the appellant and defendant Jagir Singh (since deceased). The said connection was transferred in the name of Jagir Singh on 31.12.1998. As per plea of defendant No. 3, due to family settlement between the parties, electric connection in question came to the share of Jagir Singh and the appellants executed affidavit dated 12.4.1996 in favour of Jagir Singh. To prove this affidavit, defendant No. 3 examined the Notary Public who attested the affidavit. Counsel for the appellant would state that Notary Public would not establish identity of the appellant in respect of execution of affidavit. He prays

for time to seek necessary instructions if the original affidavit is a part of records of the trial Court and further to lay his hands on testimony of Darshan Singh, plaintiff No. 2.

Be listed on 14.9.2018.”

Ordered accordingly.

(AMIT RAWAL)
JUDGE

December 03, 2018

Pankaj*

Whether Reasoned/Speaking Yes

Whether Reportable No