

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

RSA No.3618 of 2016 (O&M)

Date of decision : 21.05.2018

Bhagwant Singh and another

...Appellants

Versus

Jaswant and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. B.R. Gupta, Advocate for the appellants with
Mr. Rajwant Singh, Appellant No.2 in person.

ANIL KSHETARPAL, J. (ORAL)

Learned counsel for the appellants has submitted that both the Courts below apart from other reasons have also dismissed the suit on the ground that the entire joint property has not been included and the sisters have not been impleaded as party.

He has further submitted that another Civil Suit bearing No.20 of 2016 titled as Chandrawati and others Vs. Jaswant Singh and others, for partition of the joint property has been filed on 06.02.2016. He submits that in view of findings of the Courts below, he may be permitted to withdraw the appeal with the liberty to prosecute the suit pending before the trial Court.

Keeping in view the prayer made, the present Regular Second Appeal is dismissed as withdrawn.

Learned trial Court, where fresh suit is pending would adjudicate upon the suit without being influenced by the findings/observations made by the Courts below while deciding the present suit or first appeal.

21.05.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No