

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

**RSA No.4800 of 2016 (O&M)
Date of Order:17.07.2018**

Ratia

..Appellant

Versus

Hari Chand through his LR Parmod and ors.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Gupta, Advocate,
for the appellant.

ANIL KSHETARPAL, J(Oral)

Counsel for the appellant after arguing for some time seeks permission to withdraw the appeal. He submits that he does not press for his claim as owner on the basis of occupancy tenant. However, he submits that his client is in possession and therefore, he is entitled to protect his possession against forcible dispossession.

Keeping in view the prayer made, the appeal is dismissed as withdrawn. The appellant would be at liberty to seek relief of injunction against forcible dispossession.

Needless to observe that the permission to file suit for injunction would not be construed as a finding that the appellant is in possession of the property. The court would be at liberty to decide the new suit, if filed, on the basis of evidence lead before it.

**July 17, 2018
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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No