

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

R.S.A.No.3932 of 2014 (O&M)

Date of Decision: January 24, 2018

Sadhu Ram

...Appellant

Versus

Secretary, The Ariya Co-Op House Building Society Ltd. & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Mr.S.K.Verma, Advocate,
for the appellant.

Mr.Pardeep Solath, Advocate,
for respondent Nos.1 & 2.

Mr.Rajbir Singh, AAG, Haryana,
for the State.

AMIT RAWAL, J. (Oral)

After arguing for some time, learned counsel for the appellant realizing that this Court is going to dismiss the appeal filed against the judgment and decree dated 4.4.2014, whereby while reserving the judgment and decree of the trial Court, the suit seeking injunction restraining the defendants from auctioning the property in dispute had been dismissed, on the premise that the appellant had alternative remedy under Section 102 of the Haryana Co-op Societies Act, 1984, seeks withdrawal of the present appeal with liberty to avail the alternative remedy provided that the question of limitation may not come in his way.

In my view, the appellant would have a right to seek condonation of delay as per Section 14 of the Limitation Act, if permissible in law.

Resultantly, the appeal is permitted to be withdrawn with liberty as sought for.

January 24, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No