

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

225

CR-6015-2015 (O&M)

Date of decision: 20.05.2019

SHYAMA SOOD

...Petitioner

Versus

MPS CHAWLA AND ORS

...Respondents

**CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL**

Present : Mr. Prateek Gupta, Advocate for the applicant-petitioner.  
Mr. Gaurav Chopra, Advocate for respondents No.1 and 2.  
Mr. Amit S. Sethi, Advocate for respondent No.3.

\*\*\*\*

**REKHA MITTAL, J. (Oral)**

Counsel for the petitioner would apprise the Court that he has filed application (CM No.11387-CII of 2019) under Section 151 CPC for modification of order dated 22.04.2019.

He has submitted that at the time of making his statement on 22.04.2019, he was not aware that a suit has been filed by son of Shyama Sood claiming exclusive possession of the property in question and the same is pending adjudication before the Court. It is further submitted that statement made by him on behalf of Shyama Sood may not cause prejudice to the right claimed by her son in the said suit. However, he has conceded to the position that the present petition has rendered infructuous as the eviction application of which the present petition is an off shoot has since been withdrawn by respondents No.1 and 2.

In view of the above, the present petition stands disposed of having rendered infructuous. Son of the petitioner who has filed the civil suit would be at liberty to raise any plea, in accordance with law, that statement made in the present proceeding on behalf of Shyama Sood would not be binding against him.

20.05.2019

ashok

**(REKHA MITTAL)  
JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes / No  
Yes / No