

135

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

CR No.3884 of 2019 (O&M)

Date of decision: June 06, 2019

Col. Sukhdev Singh (Retd.) and another

.....Petitioners

Versus

Dalbir Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikas Mohan Gupta, Advocate for the petitioners.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Article 227 of the Constitution of India for quashing order dated 28.05.2019 (P-1) passed by the learned trial Court to the extent of non-grant of *ex parte* stay in favour of the petitioners.

After arguing for sometime, learned counsel for the petitioners wishes to withdraw the present petition with liberty to take recourse to the remedy of appeal before the learned District Judge in view of provisions of Order 43(1)(r) read with Section 96 of Code of Civil Procedure, 1908.

Dismissed as withdrawn with liberty aforesaid.

**(MAHABIR SINGH SINDHU)
JUDGE**

June 06, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No