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

**CM Nos.926-27-C of 2020 IN/AND
RSA No.1488 of 2008 (O&M)
Date of decision: February 10, 2020**

Kesar Singh

.....Applicant-Appellant

Versus

Gurcharan Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sherry K. Singla, Advocate for the applicant-appellant.

MAHABIR SINGH SINDHU, J

CM No.926-C of 2020

Present application has been filed under Order 22 Rule 3 read with Section 151 of Code of Civil Procedure, 1908 for bringing on record the legal heirs of the deceased-appellant-Kesar Singh.

Notice of the application.

Mr. G.S. Khokhar, Advocate files *vakalatnama* on behalf of respondent No.1. Registry to tag the same at the appropriate place.

Since the application is duly supported by an affidavit of one of the legal representatives of the deceased and which is not opposed by the other side, therefore, the same is allowed. Legal Representatives of the deceased-appellant as depicted in para No.2 of the application, are ordered to be brought on record to pursue the present appeal. Amended memo of parties is taken on record.

Registry to do the needful.

CM No.927-C of 2020

Present application has been filed for withdrawal of main appeal.

Notice of the application.

Mr. G.S. Khokhar, Advocate accepts notice on behalf of respondent No.1.

Learned counsel for respondent No.1 has stated that he has no objection, in case the prayer of the legal representatives of the applicant-appellant for withdrawal of main appeal is allowed.

On oral request of learned counsel for the parties, main appeal, which already stands admitted, is taken up for hearing today itself.

Application is allowed, accordingly.

Main case (O&M)

In view of the averments made in the application, i.e. **CM No.927-C of 2020**, main appeal, i.e. **RSA No.1488 of 2008** is dismissed as withdrawn.

(MAHABIR SINGH SINDHU)
JUDGE

February 10, 2020

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No