

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

**R.S.A. No.5626 of 2018 (O&M)
Date of Decision: 16.01.2020**

Parkashvir

.....Appellant

Versus

Shanti Mallan and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pritam Singh Saini, Advocate for the appellant.

MAHABIR SINGH SINDHU, J. (ORAL)

Present appeal has been filed for setting aside the impugned judgment and decree dated 03.05.2018, passed by learned Additional District Judge, Kurukshetra, whereby the appeal filed by respondent No.1/defendant No.2 was partly allowed and the judgment and decree dated 26.08.2014 of learned Additional Civil Judge (Senior Division), Kurukshetra is partly set aside in the following terms:-

“It is ordered that the impugned judgment and decree to the extent the same have declared that the defendants No.1 and 2 are owners in equal shares in possession of land measuring 152 kanals 9 marlas to be 6098/9426 shares of the total land measuring 235 kanals 13 marlas comprised in khewat No.32, khatoni No.99 as per jamabandi for the agriculture year 2008-2009 situated at village Adhon, Tehsil Thanesar, District Kurukshetra, are set aside. The suit in question to the said extent, is, dismissed. The appeal in question is partly allowed in the above stated terms. However, the parties are left to bear their own costs.”

At the outset, learned Counsel for the appellant wishes to withdraw the present appeal with liberty to take recourse to the remedy available under law.

Dismissed as withdrawn with the liberty aforesaid.

January 16, 2020
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>