

**S.No.209**

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

**\*\*\*\***

**CR No.2095 of 2020 (O&M)**

**Date of Decision:25.01.2021**

**Maman and others**

**.....Petitioners**

**Vs.**

**Abinashi Lal and others**

**.....Respondents**

**=====**  
**IN VIRTUAL COURT**  
**=====**

**CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present:- Mr. Pritam Singh Saini, Advocate for the petitioners.  
Mr. Rahul Jaiswal, Advocate for the respondents.

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**Rajbir Sehrawat, J.(Oral)**

This is a petition filed under Article 227 of the Constitution of India for quashing/ setting aside the order dated 23.07.2020 passed by the Id. Additional District Judge, Panipat, vide which the appeal filed by the respondents has wrongly been allowed and the application for ad interim injunction has wrongly been dismissed.

After arguing the case for some time, learned counsel for the petitioners submits that he be permitted to withdraw the present petition, however, at least it should be clarified that any observations made by the Lower Appellate Court would not affect the merits of the case during the proceedings of the suit.

Learned counsel appearing for the respondents has also not expressed any objection to this course of action. Accordingly, the present petition is dismissed as withdrawn. However, it is clarified that any

observation made by the lower Appellate Court shall not affect the merits of the case during the proceedings of the suit before the trial Court. The trial Court would independently decide the suit on the basis of the evidence led before it and the law applicable in the matter.

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|---------------------------|----------------------------|
| <b>January 25, 2021</b>   | <b>( RAJBIR SEHRAWAT )</b> |
| <b>renu</b>               | <b>JUDGE</b>               |
| Whether Speaking/reasoned | Yes/No                     |
| Whether Reportable        | Yes/No                     |