

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**LPA-1074-2021 &
CM-2496-LPA-2021**

Date of decision: 11.11.2021

TANIYA AND ANR

...APPELLANTS

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Akhilesh Vyas, Advocate,
for the appellants.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Learned counsel for the appellants, in the light of the fact that it was only an interim arrangement which had been made vide order dated 01.10.2021 passed by the Hon'ble Single Judge, prays for withdrawal of the present appeal with liberty to move an appropriate application before the said Court as the counsel states that the apprehension of the appellants is that the child, who was handed over to respondent No. 4, may not be handed over further to some other person because the appellants are quite sure that the said respondent is not going to keep the child with her. Apart from that, the apprehension of the appellants is with regard to wellbeing and welfare of the child which has to be taken into consideration.

Having considered the submissions made by the counsel for the appellants, we permit the withdrawal of the present appeal with liberty to

the appellants to file an appropriate application before the learned Single Judge. This we permit in the light of the fact that on going through the impugned order dated 01.10.2021, we find the nature and tenure of the said order to be an interim arrangement only and the Court had very categorically stated that it is not making any observations on the rights of the parties. The apprehension of the appellants, in our view, when projected before the learned Single Judge, shall be taken note of, considered and appropriate orders passed thereon.

The present appeal stands withdrawn with the above observations.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(SANDEEP MOUDGIL)
JUDGE**

November 11, 2021
pj

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No