

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

125

CR-5004 of 2018 (O&M)
Date of decision: 05.09.2022

Sukhmandeep Singh

..Petitioner

Versus

Surinder Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Inderpal Singh Parmar, Advocate
for the petitioner.

Mr. Naveen Sharma, Advocate
for respondent no.2, 3 and 7.

ANIL KSHETARPAL, J(Oral)

The learned counsel representing the petitioner, at the outset, fairly states that that the order rejecting the plaint in exercise of powers under Order VII Rule 11 CPC is a deemed decree in accordance with Section 2(2) of the Code of Civil Procedure, 1908, hence, against such a decree, an appeal is maintainable before the First Appellate Court.

Consequently, he prays for permission to withdraw the present revision petition with liberty to file an appeal.

The learned counsel representing the respondents has no objection.

Ordered accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

September 05, 2022

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*