

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

CR-4601-2019 (O&M)

Date of decision: 10.08.2022

Bahadur Singh

....Petitioner

Versus

Sarpanch, Gram Panchayat, Jadwa and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munish Gupta, Advocate for the petitioner

Mr. Prashant Singh Chauhan, Advocate for respondent
no.1

Mr. Harsh Vardhan, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

The suit filed by the plaintiff for grant of decree of permanent injunction with alternative prayer of possession after the plaintiff is dispossessed during the pendency of the suit was dismissed in default on 24.10.2016 under Order IX Rule 3 of the Code of Civil Procedure, 1908. An application for restoration of the suit has also been dismissed on 26.07.2017. Even his appeal before the Appellate Court has been dismissed.

On a Court question, the learned counsel representing the parties admit that a fresh suit is not barred.

Sh. Prashant Singh Chauhan, Advocate, enters appearance on behalf of Gram Panchayat- respondent no.1 and has submitted that the possession has been taken back by the Gram Panchayat.

Keeping in view the aforesaid facts, the revision petition is disposed of with liberty to the petitioner to file a fresh suit as agreed by

the learned counsel representing the parties.

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

10.08.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE