

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

CR-133-2016 (O&M)

Date of decision: January 09, 2023

Samadh Nanu Singh

....Petitioner

versus

General Public

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.C. Shahpuri, Advocate for the petitioner.

ARUN MONGA, J. (ORAL)

CM-467-CII-2016

For the reasons stated in the application, the same is allowed.

Delay of 15 days in re-filing the revision petition is condoned.

Main case (O&M)

Present revision petition is against the impugned order dated 16.09.2015 passed by learned District Judge, Yamuna Nagar, whereby petition under Section 7 of the Charitable and Religious Trust Act, filed by the petitioner has been wrongly dismissed.

After hearing learned counsel for the petitioners, when this Court showed its disinclination to interfere, learned counsel seeks to withdraw the revision petition with liberty to file a fresh suit against the specific parties instead of general public. Learned counsel for the petitioners expresses his apprehension that denial of permission to file suit against General Public may be held against the rights of the petitioner to file specific civil suit against the occupants of the land, who have been inducted by virtue of lease deed.

In the premise, dismissed as withdrawn, however, with liberty to the petitioner to pursue its cause by filing appropriate civil suit against specific persons, which may be identified by it, provided ofcourse, there is a specific grievance pleaded against them. Dismissal of earlier suit against general public shall not be treated as a bar qua the same.

Pending application(s), if any, including CM-5956-CII-2018 seeking permission to lead additional evidence shall also stand disposed of.

(ARUN MONGA)
JUDGE

January 09, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No