

Sr. No. 284

2023:PHHC:060502

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

CR-613-2023 (O&M)

Date of decision: 27.04.2023

Thakurdwara Mandir Paharwala and others ...Petitioners

VS.

Municipal Corporation Gurugram ...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Deepak Sethi, Advocate and
Mr. Sahil Gupta, Advocate,
For the petitioners.

Mr. B.R.Mahajan, Senior Advocate with
Mr.Anil Chawla, Advocate and
Ms. Nikita Goel, Advocate,
For the respondent.

ARUN MONGA, J. (ORAL)

Impugned herein is an order dated 22.03.2022 (Annexure P-2) passed by learned Civil Judge (Junior Division) Gurugram, vide which application for rejection of plaint filed by respondent/defendant was allowed and order dated 20.12.2022 (Annexure P-4) vide which appeal filed by petitioner/plaintiffs, was dismissed.

2. I have heard learned counsel for the parties.

3. On the objection of learned senior appearing for the respondent, qua maintainability of the revision petition herein on the ground that second appeal ought o have been filed, when this Court showed its disinclination to interfere, learned counsel for petitioners seek permission to withdraw the instant petition and file second appeal. May do so. Interim order passed

herein to subsist for a period of 30 days to enable him to file the second appeal.

- 4. Disposed of, accordingly.
- 5. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

27.04.2023
Vandana

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/Nos