

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

131

CR-3501 of 2023
Date of Decision: 20.09.2023

Manveer Singh

....Petitioner

Versus

Manjit Singh and others

....Respondents

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Atul Goyal, Advocate for the petitioner.

SANJAY VASHISTH, J.(Oral)

1. Present civil revision has been filed under Article 227 of the Constitution of India seeking setting aside of the impugned order dated 20.05.2023 (P-9) passed by learned Civil Judge (Junior Division), Ludhiana in CS No.1384 of 2021 dated 21.03.2021, whereby the application filed by the petitioner for impleading himself as party under Order I Rule 10 CPC has been dismissed.

2. Learned counsel for the petitioner submits that though he has challenged the order dated 20.05.2023 passed by learned trial Court in the application filed by the petitioner under Order I Rule 10 C.P.C., yet without challenging the reasoning given in the order of the application i.e. CS No.1384 of 2021, moved by the

petitioner/applicant, he submits that his rights would be protected taking into consideration the provisions of law under Order XXII Rule 10 of C.P.C.

Therefore, counsel submits that he wishes to withdraw the present revision petition with a liberty to move another application to consider his rights under Order XXII Rule 10 C.P.C.

3. Counsel further submits that the prayer made in the said application, if so filed, under Order XXII Rule 10 CPC, be decided a fresh without being influenced by its own observation given in the application under Order I Rule 10 C.P.C. vide impugned order 20.05.2023.

4. I have considered the submissions and gone through the impugned order .

5. Taking note of the totality of the circumstances and the submissions addressed before this Court by the counsel for the petitioner, this Court hereby grant permission to the petitioner to withdraw the present revision petition with a liberty to move a fresh application under Order XXII Rule 10 C.P.C before learned trial Court.

6. On doing so, the said application would be decided by the trial Court within a period of three weeks of its filing, in accordance with law & without getting influenced by its own order dated 20.05.2023 (P-9) passed in the application under Order I Rule 10.

C.P.C. With the aforementioned observations and terms recorded therein, the present petition stands disposed of.

September 20, 2023

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Whether speaking/reasoned

Whether reportable?

[SANJAY VASHISTH]

JUDGE

yes/no

yes/no