

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

112

2023:PHHC:087237

**SAO-50-2019 (O&M)
Date of decision: 13.07.2023**

VIPIN KUMAR (DECEASED) THROUGH LRS AND ORS

..Appellants

Versus

ONKAR NATH AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikas Mohan Gupta, Advocate
for the appellants.

Mr. Rai Singh Chauhan, Advocate
Mr. Balam Singh, Advocate
for respondent No.1.

ANIL KSHETARPAL, J(Oral)

This second appeal has been filed against the order passed by the First Appellate Court remanding the case back to the trial Court for deciding afresh.

On 12.07.2023, the following order was passed:-

“The learned counsels representing the parties have been heard at some length.

On the request of the court, the learned counsel representing respondent no.1 has passed on copies of the plaint and the written statement which would be required to be examined in detail.

At this stage, Mr. Rai Singh Chauhan, the learned counsel representing the plaintiff submits that in view of the subsequent order passed by the competent settlement officer to provide passage to the plaintiff, he has instructions to withdraw the suit.

Sh. Vikas Mohan Gupta, advocate, prays for some time to examine the matter.

Adjourned to 13.07.2023.

To be listed in the urgent list.”

The learned counsel representing the plaintiff submits that he has instructions to withdraw the suit.

Keeping in view the aforesaid facts, the appeal is rendered infructuous. The statement of the learned counsel representing the plaintiff shall result in dismissal of the suit as withdrawn. The trial Court is requested to consign the suit to the records.

Disposed of accordingly.

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

July 13th, 2023

(ANIL KSHETARPAL)
JUDGE

Ay

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