

CR-3824-2023 (O&M)

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

Sr. No.125

**CR-3824-2023 (O&M)
Date of Decision: 02.08.2023**

BHAGAT SINGH

....Petitioner

Versus

PIRTHI SINGH AND ORS.

.....Respondents

CORAM: HON'BLE MRS JUSTICE ARCHANA PURI

Present:- Mr. Sanjeev Majra, Advocate
for the petitioner.

ARCHANA PURI, J. (Oral)

Challenge in the present revision petition is to the order dated 04.07.2022 (Annexure P-3) and order dated 31.05.2023 (Annexure P-5), passed by the Court below, whereby an application for restoration of the appeal filed before learned Lower Court, was dismissed as withdrawn.

From the paper book, it is evident that the appeal bearing No. CA-53-2014 titled “*Bhagat Singh vs. Pirthi Singh etc.*” was pending before learned Lower Appellate Court. However, during the pendency of the case on 04.07.2022, appellant Bhagat Singh, who appeared in person along with the counsel had given a statement that he does not want to pursue with the present appeal and the same be dismissed as withdrawn. On the basis of the aforesaid statement, the appeal was dismissed as withdrawn.

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Thereafter, Ravinder Singh s/o Bhagat Singh, appellant, had filed an application for restoration of the appeal, which was dismissed as withdrawn by Bhagat Singh on 04.07.2023 and qua the said application the impugned order dated 31.05.2023 was passed, thereby dismissing the application *vis-a-vis*, the restoration of the appeal.

Now, it is submitted by learned counsel for the petitioner that at this stage, he does not want to pursue with the present revision petition and seeks permission of the Court to withdraw the same, as he shall be seeking appropriate remedy, with regard to the filing of the application, at the instance of Bhagat Singh, appellant himself.

In view of the submission, so made, the instant revision petition, is hereby dismissed as withdrawn and if so desired, the appropriate remedy may be availed by Bhagat Singh himself, before the court concerned.

02.08.2023
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(ARCHANA PURI)
JUDGE

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