

CM-2564-CWP-2023 and
CM-2565-CWP-2023 in/and
CWP-20842-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(107 + 258)

CM-2564-CWP-2023 and
CM-2565-CWP-2023 in/and
CWP-20842-2021
Date of decision: - 23.02.2023

Kuldeep Singh and others

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Lakhwinder Singh, Advocate
for the applicant-petitioners.

Ms. Upasana Dhawan, AAG, Haryana.

None for the non-applicant/respondents.

VIKAS BAHL, J. (ORAL)

The applicant-petitioners have filed the present two applications under Section 151 of the Code of Civil Procedure. Application bearing CM-2564-CWP-2023 has been filed for withdrawing the main writ petition and CM-2465-CWP-2023 has been filed for necessary directions to the Treasury to return the amount of Rs.20,44,000/- deposited by the applicant-petitioners in view of the order dated 01.11.2021 passed by this Court.

Learned counsel for the applicant-petitioners has submitted that the applicant-petitioners have challenged the *sanad takseem* whereby the partition had been challenged and in the said partition, the

constructed house of the applicant-petitioners has been put in the share of other co-sharers and the applicant-petitioners were initially ready and willing to purchase the land on which their house is situated and thus, had deposited the amount in the Treasury. It is further submitted that the matter has now been resolved and the applicant-petitioners have decided to abide by the *sanad takseem*. It is also submitted that the applicant-petitioners had vacated the possession as per the *sanad takseem* and are in the process of taking possession which has been given to the applicant-petitioners as per the *sanad takseem*. It is stated that in view of the same, the applicant-petitioners seeks to withdraw the main writ petition and also prays for return of the amount of Rs.20,44,000/- deposited by them.

Keeping in view the above-said facts and circumstances, both the applications are allowed and the applicant-petitioners are permitted to withdraw the main writ petition and the amount of Rs.20,44,000/- deposited by the applicant-petitioners in pursuance of the order dated 01.11.2021 is also permitted to be withdrawn by them.

Accordingly, the present writ petition is dismissed as withdrawn, as prayed for.

February 23, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No