

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

FAO-1937-2015

Date of Decision: 18th January, 2023

Sunder Singh (since deceased) through his Legal Heirs and others
... Appellant

Versus

M/s Akarshan Estate Pvt. Ltd. And others ... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Surender Dhull, Advocate for the appellant.

Mr. Jainainder Saini, Advocate for respondent No. 1.

AVNEESH JHINGAN , J.(Oral)

This appeal has been filed for setting aside the award dated
5.4.2010 and judgment dated 18.2.2014.

Learned counsel for respondent No. 1 submits that the parties
have acted upon the award, sale deed has been executed, revenue entries
were changed, consideration has been withdrawn by the appellant. He
submits that no cause of action survives for pursuing the present petition.

Learned counsel for the appellant in absence of any
instructions is not in a position to contradict the statement made by
respondent No.1.

Petition is disposed of with liberty to the appellant to move an
application for revival of the prayer in case of any factual discrepancy
found in the statement made by learned counsel for respondent No. 1.

**(AVNEESH JHINGAN)
JUDGE**

18th January, 2023

anuradha

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No