

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-5874 of 2023(O&M)
Date of Decision: 05.10.2023

Anita Nanda

...Petitioner

Versus

Amit Singh

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. C.L. Verma, Advocate
For the petitioner.

KARAMJIT SINGH, J.

1. The present revision petition has been filed by the petitioner against the order dated 14.07.2023 passed by the Court of Civil Judge (Jr.Divn.), Khanna whereby an application filed by the petitioner for correction of order dated 04.05.2022 passed by the said Court in an application under Order 39 Rules 1 and 2 CPC, has been dismissed.

2. After arguing for some time, the counsel for the petitioner made prayer that he be allowed to withdraw the present petition with liberty to file appeal against order dated 04.05.2022 with direction to the Appellate Court to entertain the appeal without pressing the issue of delay in filing the appeal. The counsel for the petitioner further submits that he will file the concerned appeal without any delay but already delay has occurred due to pendency of the application which was filed by the petitioner seeking correction of order dated 04.05.2022.

3. In light of the above, the present petition is hereby dismissed as withdrawn with liberty to the petitioner to file appeal against the order dated

04.05.2022 passed by the Court of Civil Judge (Jr.Divn.), Khanna and if the appeal is filed within next 30 days, the Appellate Court will not insist on the issue of limitation by taking liberal view in the light of the fact that the application filed by the petitioner seeking correction of order dated 04.05.2022 remained pending from 11.01.2023 till its disposal on 14.07.2023.

**(KARAMJIT SINGH)
JUDGE**

05.10.2023

Jiten

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No