

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

RSA-891-2017 (O&M)

Date of Decision: 31.01.2023

Shish Ram and others

.....Appellants

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Yeshpal Malik, Advocate
for the appellant.

ARUN MONGA, J. (ORAL)

Having suffered concurrent adverse findings by the two Courts below, plaintiffs (appellants herein) are in second appeal before this Court assailing learned trial Court judgment and decree dated 05.02.2014, as upheld by learned First Appellate Court vide its judgment and decree dated 31.05.2016, dismissing suit for permanent injunction filed by appellants.

2. When this Court expressed its disinclination to interfere in the well-reasoned and cogent findings rendered by both the Courts below, confronted with the situation, the learned counsel states that he does not want to press this appeal. However, he seeks to withdraw it with liberty to the plaintiffs to seek their remedy to file appropriate suit for declaration, should the need arise or if so advised, qua their rights basis whereof injunction was sought.

3. Dismissed as withdrawn with the liberty aforesaid.

4. Pending civil miscellaneous application(s), if any, shall also stand disposed of.

**(ARUN MONGA)
JUDGE**

January 31, 2023

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No