



CR-1822-2023(O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-1822-2023(O&M)

Date of decision : 26.09.2024

Amarjit Singh

... Petitioner

Versus

Ravinder Singh

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Mayank Mathur, Advocate for the petitioner.

Mr.Jatinder Nagpal, Advocate for the respondent.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 226 of the Constitution of India against the order dated 13.12.2022 (Annexure P-1) whereby the trial Court has attached an amount of Rs.35,00,000/- under Order 38 Rule 5 CPC.

2. Learned counsel for the petitioner has submitted that subsequent to the passing of the order dated 13.12.2022, several substantial events have occurred, on account of which the order dated 13.12.2022 deserves to be recalled / modified. It is submitted that the matter has been compromised with Dilbagh Singh and Dalbir Singh, in whose favour the sale deed has been executed by the petitioner and it has been decided that the said Dilbagh Singh and Dalbir Singh would return the property to the petitioner by executing a fresh sale deed and the amount which has been



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paid by them, which is lying attached vide the impugned order, would be returned to them. It is further submitted that once the sale deed is executed by Dilbagh Singh and Dalbir Singh in favour of the petitioner and the money is returned to said Dilbagh Singh and Dalbir Singh, the entire issue would be resolved and since the petitioner would become owner of the property again, there would be no further purpose in attaching the amount of Rs.38,00,000/- and the same would also help the plaintiff in enforcing his rights in case the suit is to be decreed. Learned counsel for the petitioner has submitted that in view of the subsequent events, the petitioner be permitted to withdraw the present petition with liberty to file an application before the trial Court bringing on record all such subsequent facts and prayed that such application be decided, as expeditiously as possible, in accordance with law.

3. Keeping in view the above said facts and circumstances, the present petitioner is permitted to withdraw the present petition with the aforesaid liberty. In case any such application is filed before the trial Court, the trial Court would decide the same as expeditiously as possible, in accordance with law.

(VIKAS BAHL)
JUDGE

September 26, 2024.
Davinder Kumar

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