



CR-3037-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-3037-2024

Date of decision : 18.11.2024

Rupinder Kumar

... Petitioner

Versus

Murari Lal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Nimish Gautam, Advocate for
Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr.Atul Goyal, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. This is a Civil Revision Petition filed under Article 227 of the Constitution of India for setting aside the order dated 14.09.2023 (Annexure P-1) passed by the Civil Judge (Jr.Div.), Ludhiana, vide which the application of the petitioner under Order 39 Rule 1 and 2 CPC has been partly allowed by the trial Court and order dated 05.04.2024 (Annexure P-2) passed by the Additional District Judge, Ludhiana, vide which the Appellate Court has allowed the appeal of the respondent by setting aside the order of the trial Court.

2. On 23.05.2024, a Coordinate Bench of this Court was pleased to pass the following order:-

*“Present: Mr. P.S. Punia, Advocate
for the petitioner.
Mr. Atul Goyal, Advocate
for the respondents.*



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Learned counsel for the respondents submits that he has received instructions that the petitioner has filed yet another application under Order 39 Rules 1 and 2 CPC, on the same subject matter, in the earlier civil suit (CS-1925-2015) and on the other hand is pursuing the instant petition.

Learned counsel for the petitioner after having instructions from the petitioner, affirms the factum of having instituted such application.

It is also brought to the notice of this Court that the similar injunction application filed in the said suit had been dismissed vide order dated 19.09.2015.

Learned counsel for the respondent seeks some time to place on record the aforesaid orders as well as the application noticed above.

Needful be done before the next date, with a copy in advance to learned counsel for the petitioner.

Adjourned to 17.07.2024.

May 23, 2024”

3. Learned counsel for the petitioner seeks to withdraw the present petition with liberty to file a fresh petition after complying with the order dated 23.05.2024 and after giving full and better particulars.
4. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

November 18, 2024.

Davinder Kumar