

2024:PHHC:100129-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(124)

LPA-1299-2024 (O&M)

Decided on : 05.08.2024

The Rawalpindi Self-Supporting Cooperative Cinema Society Ltd.

.....Appellant(s)

Versus

Maninder Deep Singh Mahant & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MRS.JUSTICE MEENAKSHI I. MEHTA**

Present: Mr.D.S.Patwalia, Sr.Advocate
with Mr.Kannan Malik, Mr.Sehar Navjeet Singh, Advocates
for the appellant (s).

Ms.Arundhati Kulshreshtha, AAG, Punjab.

Mr.Amit Jhanji, Sr.Advocate
with Mr.Jaivir Chandail, Panel Counsel, for respondent No.1.

G.S. Sandhawal, J.(Oral)

1. The present appeal, filed by the present appellant and respondent No.3-Society in the writ petition bearing CWP-1867-2023 is to the interim order dated 06.05.2024 whereby the stay granted on 31.01.2023 till the next date of hearing was ordered to be continued till 16.10.2024.

2. It is to be noticed that a detailed order was passed by the Learned Single Judge on 31.01.2023 wherein any further sale/transaction pertaining to the assets of the respondent No.3-Society, appellant herein was to remain stayed till the next date of hearing.

3. Senior Counsel for the appellant has tried to convince us that non-vacation of the stay order by way of filing application would prejudice the appellant and mis-statement of facts was made which led to the order dated 31.01.2023 being passed.

4. We have gone through the application which was filed for vacation of stay. A perusal of the same would go on to show that it is bereft of any merit as to how the appellant would be prejudiced if the stay is continuing and what was the mis-statement of facts made when the Learned Single Judge granted the stay which is now stated to be argued.

5. Faced with this situation, counsel for the appellant submits that he wishes to withdraw the present appeal with liberty to file a fresh application with better particulars.

6. In view of the above, the present appeal is dismissed as withdrawn, with liberty to file a fresh application in the writ petition, taking all the pleas which are now sought to be argued before this Court.

(G.S. SANDHAWALIA)
JUDGE

05.08.2024
Sailesh

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No