



345

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-3761-2024
Date of decision: 27.08.2024

Inder Kumar

...Petitioner

Versus

Yogesh Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rakesh Nagpal, Advocate for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 16.04.2024 (Annexure P-4) passed by the Civil Judge (Junior Division), Sunam in case No.CS/958/2020 titled as Inder Kumar Vs. Yogesh Kumar, whereby the application filed by the respondent under Order 7 Rule 11 CPC has been allowed and the plaint has been returned.
2. In view of the law laid down by the Hon'ble Madras High Court in **C.R.P (PD) No.3576 of 2001, titled as “K.S. Geetha Vs. Stanleybuck”, decided on 12.07.2002** and also settled principle of law, only an appeal lies and not a revision.
3. In view of the above, learned counsel for the petitioner seeks to withdraw the present revision petition with liberty to file an appeal before

the 1st Appellate Court. It is further submitted by the learned counsel for the petitioner that since the petitioner was pursuing his present revision petition thus, in case the said appeal is filed within a period of one month from today, same be not dismissed solely on the ground of limitation.

4. Dismissed as withdrawn, with the aforesaid liberty.
5. It is made clear that in case the said appeal is filed within a period of one month from today, then the same would not be dismissed solely on the ground of limitation.

27.08.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No