

2024:PHHC:073740



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

105 +244

ARB-380-2020(O&M)

Date of decision:-23.05.2024

BALRAJ SINGH (CONTRACTOR)

...PETITIONER

VS.

**THE MUNICIPAL CORPORATION, PATIALA AND
OTHERS**

...RESPONDENTS

CORAM :HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Mr. Sarthak Soni, Advocate
for Mr. Sanjeev Soni, Advocate
for the respondents.

SUVIR SEHGAL, J.(ORAL)
CM No.9631 of 2024

Prayer in the application filed under Section 151 read with
Section 152 CPC is for modification of the order dated 09.04.2024

Counsel for the applicant/respondents submits that an
objection regarding the maintainability of the petition was not taken
in the written statement as has been recorded in order dated
09.04.2024. However, he clarifies that this objection was taken
during the course of the arguments.

Notice of the application.



Mr. Mayank Mathur, Advocate accepts notice on behalf of the non-applicant/petitioner.

For the reasons given in the application, it is accepted. Order dated 09.04.2024 is modified and shall be read as under:-

“ In view of the objection taken by the respondents during the course of arguments, counsel for petitioner requests for deferment to move an appropriate application to amend the petition. List on 23.05.2024”.

ARB-380-2022 (O&M)

In view of the objection taken by the respondent in the reply filed to the application whereby petitioner has sought amendment of the petition, counsel for the petitioner seeks and is granted permission to withdraw the petition with liberty to file a fresh petition.

Dismissed as withdrawn with liberty as aforesaid.

All pending applications are disposed of.

May 23, 2024
Poonam Sharma

(SUVIR SEHGAL)
JUDGE

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