



RSA No.290 of 2023 (O&M)

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

159

RSA No.290 of 2023 (O&M)
Date of Decision:19.11.2025

PARAMJIT SINGH**.....Appellant****Vs****AMARJIT SINGH AND OTHERS****....Respondents****CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

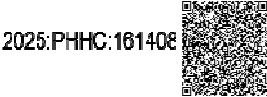
Present: Mr. Rajesh Sethi, Advocate and
Mr. Anshuman Sethi, Advocate
with appellant in-person.

Mr. Amanpreet Singh, Advocate
for respondent No.1.

HARKESH MANUJA, J. (Oral)

[1]. In the present proceedings arising out of suit for partition and possession, a preliminary decree was passed on 29.08.2016. Based thereupon, an application for passing of final decree was filed on behalf of respondent No.1 which was allowed/decreed by the Court of learned Civil Judge (Jr. Divn.) Chandigarh on 13.07.2022. Aggrieved thereof, the appellant preferred First Appeal which came to be dismissed with costs vide judgment and decree dated 23.12.2022 by the Court of learned Addl. District Judge, Chandigarh.

[2]. Challenge to the aforementioned judgment and decree dated passed by the First Appellate Court was made by way of present Regular Second Appeal, however during pendency, on an application made by the appellant/plaintiff before the learned First Appellate Court, the order dated 17.04.2018 passed in Civil Appeal No.466/2016 titled '*Paramjit Vs. Amarjit*' has been recalled thereby resulting into revival of the aforementioned Civil Appeal preferred against the



preliminary judgment and decree dated 29.08.2016 passed by the learned Trial Court.

[3]. In view of the above development, nothing substantial survives in the present Regular Second Appeal, as such appellant seeks permission to withdraw the present appeal. Allowed as prayed for.

[4]. However, since the Civil Appeal No.93 of 30.08.2022 titled '*Paramjit Singh Vs. Amarjit Singh and others*' preferred at the instance of the appellant against the final judgment and decree dated 23.12.2022 (impugned herein) has now been ineffective, the appellant shall be at liberty to seek refund of court fee appended before the same Court which disposed of the aforementioned Civil Appeal. In the given facts, the First Appellate Court is requested to expedite the proceedings and conclude the same preferably within three months from today.

[5]. Pending application(s), if any shall also stand disposed of.

November 19, 2025
Atik

(HARKESH MANUJA)
JUDGE

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