



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

135

**RSA-3807-2019 (O&M)  
Date of decision : 22.09.2025**

**Dheeraj Kumar****..... Appellant**

**versus**

**Baldev Singh and others****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. P.S. Dhaliwal, Advocate  
for the appellant.

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**PANKAJ JAIN, J. (Oral)**

1. Counsel for the appellant at the outset submits that the suit was filed under Section 6 of the Specific Relief Act, 1963. Even though, the mandate of the provision is that no appeal lies from the order or decree passed in such suit, yet appeal was preferred before the Lower Appellate Court and the same was also entertained. He submits that the appellant prays for withdrawal of the present appeal with liberty to file regular suit for possession as the findings recorded in the suit filed under Section 6 of 1963 Act being summary in nature, would not operate as *res judicata* in the regular suit.

2. Dismissed as withdrawn, with liberty as prayed for.

3. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

**(PANKAJ JAIN)  
JUDGE**

**22.09.2025**

Dinesh

Whether speaking/reasoned :  
Whether Reportable :

Yes  
No