

2025:PHHC:159696



CR-2730-2022

1

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

CR-2730-2022

Date of decision : 18.11.2025

Sahabuddin and others

... Petitioners

Versus

Upasna Jain

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Roshan Lal Saini, Advocate for
Mr.Tushar Gautam, Advocate
for the petitioner.

Mr. Vinay Kumar Pandey, Advocate
for the respondent.

VIKAS BAHL, J.(ORAL)

1. Learned counsel for the respondent has referred to the order dated 17.11.2022 passed by the Civil Judge (Sr.Div.), Nuh, vide which the statement had been made by the plaintiff-respondent for withdrawal of suit with permission to file fresh suit on the same cause of action which permission was declined in view of the fact that the matter is pending before this Court. The order dated 17.11.2022 is reproduced hereinbelow:-

“Present: Sh.Vipin Jain, Counsel for the plaintiff.

Sh.Shaukat Ali, Counsel for defendants.

*Today the case was fixed for awaiting Order from
Hon’ble High Court. Learned counsel for plaintiff has made a
request to withdraw the present case and requested to record*



his statement to that effect.

Learned counsel for defendant on the other hand requested that plaintiff wants to withdraw the suit with a malafide motive

Statement recorded separately vide which learned counsel for plaintiff has stated that he wants to withdraw the present suit with permission to file fresh suit on the same cause of action.

Arguments heard. Keeping in view the fact that matter is already subjudice before Hon'ble High Court in CR-2730-2022 (O&M) titled "Sahabuddin and Others Vs. Upasna Jain" as per which the impugned order dated 18.04.2022 has been stayed by Hon'ble High Court.

In view of these facts, the request made by learned counsel for plaintiff stands declined.

Now case is adjourned to 04.03.2023 for further awaiting order from Hon'ble High Court.

*(Satish Kumar)
CJ (SD), (HR-240)
Nuh*

Date of Order: 17.11.2022"

2. Learned counsel for the petitioners has submitted that in case the plaintiff-respondent reiterates her stand for withdrawal of the suit with liberty to file a fresh suit on the same cause of action, then, the petitioners will withdraw the present revision petition.

3. Learned counsel for the respondent has submitted that the plaintiff-respondent reiterates the stand taken in the order dated 17.11.2022.

4. Learned counsel for the petitioners, in view of the above, seeks to withdraw the present petition.



5. In view of the above, the present petition is dismissed as withdrawn. The parties would be bound by the statement made before this Court.

(VIKAS BAHL)
JUDGE

November 18, 2025.
Davinder Kumar

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