



CR-5318-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(137)

CR-5318-2024

Date of decision: - 18.05.2026

Prakash Singh and another

....Petitioners

Versus

Mukesh Kumar and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Nipul Vashist, Advocate, for the petitioners.

Mr. Mukesh Kumar Verma, Advocate
for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 20.08.2024 passed by the Civil Judge (Junior Division), Bawal, whereby application filed by the petitioners under Order 22 Rule 10 CPC read with Section 151 CPC has been dismissed.

2. On 14.05.2026, this Court was pleased to pass the following order: -

“Present: Mr.Nipun Vashist, Advocate for the petitioners.

*Mr.Mukesh Kumar Verma, Advocate
for respondent no.1.*

Learned counsel for respondent no.1 has submitted that the impugned order whereby the application filed by the petitioners-defendants under order 22 Rule 10 CPC has been dismissed is an



CR-5318-2024

-2-

appealable order under Order 43 Rule 1 (l) CPC.

Learned counsel for the petitioners prays for a short adjournment to get instructions in the matter.

Adjourned to 18.05.2026.

To be shown in the urgent list.

May 14, 2026”

3. Learned counsel for the petitioners has very fairly submitted that the impugned order is appealable and thus, he seeks permission of this Court to withdraw the present revision petition with liberty to the petitioners to file an appeal before the Appellate Court in accordance with law. It is prayed that since the petitioners were pursuing the present remedy, therefore, in case the petitioners file the appeal within a period of one month from today, then, the Appellate Court be directed not to dismiss the said appeal solely on the ground of limitation.

4. Learned counsel for respondent No.1 has no objection to the said course of action.

5. In view of the above, the present revision petition is dismissed as withdrawn, with the aforesaid liberty.

6. In case the petitioners file any such appeal within a period of one month from today, then, the Appellate Court would not dismiss the said appeal solely on the ground of limitation.

May 18, 2026
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No