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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-2189-2023 (O&M)****Date of Decision : 26.08.2025**

Bala Devi and Another

...Petitioners

Versus

Union of India

... Respondent

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Atul Yadav, Advocate for the petitioners.

Mr. Ramesh Chand Sharma, Advocate for the respondent.

**ALKA SARIN, J. (Oral)**

1. Learned counsel for the petitioners would contend that in the present case the delay of 557 days in filing the claim petition before the Railway Claims Tribunal was condoned by this Court vide order dated 27.09.2019 passed in FAO-5153-2006. It is further the contention that inadvertently the date of the accident was mentioned as 31.10.2002 however the date of the accident is 31.10.2001. Learned counsel for the petitioners would further contend that the delay, if counted taking the accident to have taken place on 31.10.2001 would be 557 days. He however states that since the application was filed under Section 151 of the Code of Civil Procedure, 1908, which was a wrong provision of law, he seeks permission to withdraw the present revision petition with liberty to the petitioners to file a fresh application under Order VI Rule 17 CPC. Permitted to do so.

2. Dismissed as withdrawn with liberty aforesaid. Pending

applications, if any, also stand disposed off.

3. If any application under Order VI Rule 17 CPC is filed, the same be decided in accordance with the law without being influenced by the order passed on the application under Section 151 CPC for correction.

26.08.2025  
jk

( ALKA SARIN )  
JUDGE

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO