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

CR-1620-2020 (O&M)
Date of decision: 20.02.2025

Ajmer Singh (deceased) through his LRs

...Petitioner(s)

Versus

Nachhattar Singh (deceased) through his LRs and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Nikhil Chopra, Advocate for the petitioner(s).

Mr. Rakesh Chopra, Advocate and
Mr. Jashan Chopra, Advocate and
Mr. Sharan Chopra, Advocate for the respondents.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 28.11.2019 (Annexure P-17) whereby the objections filed by the petitioner(s) have been dismissed.
2. Learned counsel for the petitioner(s) has submitted that as per the case of the petitioner(s), the agreement of exchange dated 30.05.2005 had been executed between the parties and the petitioner(s) have a right to institute the appropriate proceedings including civil suit to enforce the rights under the said agreement. It is submitted that the primary reason for filing the present revision petition is on account of the fact that there are certain observations made in the impugned order which may not be treated



as res-judicata/binding in the said proceedings. He seeks permission of this Court to withdraw the present revision petition with liberty to the petitioner(s) to institute the said proceedings and it be clarified that the said proceedings would be considered independently, in accordance with law.

3. Learned counsel for the respondents has submitted that in case any such proceedings are instituted by the petitioner(s), then the respondents be given an opportunity to raise all the pleas which are available to them in accordance with law.

4. Keeping in view the abovesaid facts and circumstances and fair stand taken by learned counsel for the petitioner(s) as well as learned counsel for the respondent(s), the present revision petition is dismissed as withdrawn with liberty to the petitioner(s) to institute the said proceedings, in accordance with law, on the basis of agreement/compromise dated 30.05.2005.

5. It is made clear that in case any such proceedings are instituted, it would be open to both the parties to raise all the pleas as are available to them in accordance with law and same would be considered independently, in accordance with law, after hearing both the parties and without being influenced by the observations made in the order dated 28.11.2019.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

20.02.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No