



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

249

CR-3952-2017

Date of Decision.:25.03.2025

Vinod Kumar

Petitioner

Vs.

Anil Kumar and Others

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. Atul Lakhanpal, Senior Advocate with
Ms. Shikha Charak, Advocate for
respondent No.1.

Ms. Himani Sharma, Advocate for
Mr. Ashish Kapoor, Advocate for
respondent Nos.2 to 4.

DEEPAK GUPTA, J. (ORAL)

In civil suit bearing No.CS-634-2015 titled as "Vinod Kumar v. Anil Kumar etc." an application under Order VII Rule 11 CPC for rejection of the plaint, as moved by the defendant was allowed by the trial Court vide order dated 28.02.2017, which has been assailed before this Court by way of the present civil revision.

Since the plaint was rejected, it amounts to decree against which the appeal should have been filed before the concerned first Appellate Court.

Faced with the aforesaid situation, learned counsel for the petitioner has made a statement so as to withdraw this petition with liberty to file appeal before the concerned Appellate Court. Prayer is made to exempt the period spent during the pendency of the present revision.

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In view of the aforesaid statement, present petition is hereby dismissed as withdrawn with liberty to the petitioner to file the appeal before the first Appellate Court. The time spent during the pendency of this petition shall be liable to be condoned by the first Appellate Court.

(DEEPAK GUPTA)
JUDGE

March 25, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No