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

FAO-2621-2018 (O&M)
Date of decision: 04.09.2025

S. Bant Singh ...Appellant

Versus

Vikram Singh ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikas Bali, Advocate for the appellant.

VIKAS BAHL, J. (ORAL)

1. Challenge in the present appeal is to the order dated 12.01.2018 vide which application filed under Order 39 Rules 1 and 2 read with Section 151 CPC filed by the plaintiff-appellant has been dismissed.

2. Learned counsel for the appellant has very fairly submitted that during the pendency of the present case, the main suit had been permitted to be withdrawn with liberty to file a fresh suit on the same cause of action vide order dated 04.07.2025, which order, had been passed in an application filed under Order 23 Rule 1(3)(b) CPC read with Section 151 CPC for seeking withdrawal of the suit with liberty to file a fresh suit.

3. Learned counsel for the appellant has submitted that in view of the same, the present appeal has been rendered infructuous and same may kindly be disposed of as such.

4. Keeping in view the abovesaid facts and circumstances, the present appeal is disposed of as having been rendered infructuous.

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

04.09.2025

Pawan

**(VIKAS BAHL)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**