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

CR-6217-2024 (O&M)
Date of decision: 21.01.2025

Komal Sharma and another

...Petitioners

Versus

Johny Mathew

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravinder Chaudhary, Advocate for the petitioners.

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 21.05.2024 (Annexure P-1) and order dated 20.02.2024 (Annexure P-2) passed by the Civil Judge (Junior Division), Gurugram

2. On a pointed query raised by this Court, learned counsel for the petitioners has submitted that the evidence is being led in the contempt petition filed under Order 39 Rule 2A of CPC and it is stated that the impugned orders have been passed in the said proceedings. However, learned counsel for the petitioners has referred to an order dated 16.10.2024 which states that the case is now fixed for filing reply on the application under Order 39 Rule 2A read with Section 151 CPC thus, it is not clearly coming out from the present revision petition as to whether the impugned



orders have been passed in the proceedings under Order 39 Rule 2A of CPC or in the main suit. Neither the plaint nor the interim order regarding which the proceedings under Order 39 Rule 2A of CPC have been initiated, have been annexed. Even relevant zimni orders have not been annexed with the present revision petition.

3. Learned counsel for the petitioners seeks permission of this Court to withdraw the present revision petition with liberty to the petitioners to file a fresh petition with full and better particulars and after annexing the plaint, interim order which is stated to have been violated, the application under Order 39 Rule 2A of CPC as well as all the zimni orders passed in the said case.

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 In view of the above, the present revision petition is dismissed as withdrawn with liberty aforesaid.

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

21.01.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No