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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(114)

CR-988-2025 (O&M)

Date of decision:- 17.02.2025

Balwinder Kaur @ Balwinder Kaur Sandhu

....Petitioner

Versus

Mandeep Singh and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Prateek Sodhi, Advocate,
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 04.12.2024 (Annexure P-4) rendered in Civil Suit No.5379 of 2024 whereby the trial Court has declined the prayer for *ex parte ad interim injunction* in favour of the petitioner.

2. As per the law laid down by the Hon'ble Supreme Court in "***A. Venkatasubiah Naidu Vs. S. Chellappan***", reported as AIR 2000 SC 3032, the impugned order is appealable.

3. Learned counsel for the petitioner has submitted that in view of the above, the petitioner be permitted to withdraw the present revision petition with liberty to file an appeal, but has prayed that since the petitioner was pursuing the present remedy, therefore, in case the



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petitioner files the appeal within a period of 15 days from today, then, the appellate authority be directed not to dismiss the said appeal solely on the ground of limitation.

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 In view of the above, the present revision petition is dismissed as withdrawn, with the aforesaid liberty.

5. In case the petitioner files any such appeal within a period of 15 days from today, then, the appellate authority would not dismiss the said appeal solely on the ground of limitation and maintainability.

6. It is made clear that this Court has not opined on the merits of the case and the appellate authority would decide the matter independently, in accordance with law.

7. Pending application, if any, stands disposed of in view of the above-said order.

February 17, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No