

HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

Civil Revision No.242 of 2018
Date of decision: 31.07.2019

Swarup Chand	Petitioner.
Versus		
State of H.P. & ors	Respondents.

Coram:
The Hon’ble Mr. Justice Ajay Mohan Goel, Judge.

*Whether approved for reporting?*¹ No

For the petitioner	:	Mr. Ajay Sharma, Sr. Advocate, with Mr. Rakesh Chaudhary, Advocate.
For the respondents	:	Mr. Amit Kumar Dhumal, Ms.Divya Sood, Deputy Advocate Generals and Mr.Sunny Dhatwalia, Assistant Advocate General, for respondent- State. Respondents No.1 to 3. Respondents No.4 to 6 proceeded ex-parte.

Ajay Mohan Goel, J. (Oral)

After making his submissions for sometime, learned Senior Counsel for the petitioner on instructions submits that the petitioner may be permitted to withdraw the application itself, in which the impugned order has been passed, with liberty that in case need so arises, he may move a fresh application before the learned Court below.

¹ Whether the reporters of Local Papers may be allowed to see the judgment?

2. Prayer so made is allowed with the observations that if any fresh application is filed before the learned Trial Court, the same be decided on merit, uninfluenced by any observation made by the learned trial Court in its earlier order which was passed in the application, which has now been permitted to be withdrawn, because as a result of the application itself having been permitted to be withdrawn, the order so passed on the same is rendered inoperative.

3. Present petition having been rendered infructuous, now is also disposed of as such. Pending miscellaneous application(s), if any, stand disposed of.

**(Ajay Mohan Goel),
Judge**

July 31, 2019
(Rishi)