

**260 RA-RS-49-C-2015 In
RSA No.4285 of 2011**

**Ram Darshan
Vs.
Ram Pal Singh and ors.**

Present: Mr. Tejinder Pal Singh, Advocate
for the applicants/respondents.

Mr. H.S. Saggu, Advocate
for the non-applicant/appellant.

This application has been filed for review of the order dated 10.12.2014, whereby this Court had granted the liberty to the appellant to withdraw the suit and file afresh on the same cause of action by taking appropriate plea. However, liberty was granted to the defendant to move an appropriate application to seek clarification, modification or recalling of the order.

Review Application bearing No.RA-RS-49-C-2015 has been filed for recalling of the order on the premise that there was no inherent defect in the suit, therefore, permission, aforesaid could not have been granted. I am of the view that no ground is made out for review at this stage for the reasons that relief given to the defendant was most innocuous as the suit framed and filed was not maintainable. However, the applicant/defendant is at liberty to move appropriate application (for rejection of plaint) in case appellant choses to file suit.

With the aforementioned observation, review application stands dismissed.

13.08.2015

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**(AMIT RAWAL)
JUDGE**