

In the High Court of Punjab and Haryana, at Chandigarh

**Review Application No. CR-160-CII of 2016 (O&M)
In CR-3490-2014**

Date of Decision: 03.06.2016

Patel Memorial Management Society and Others

... Applicant(s)

Versus

Raj Kumar and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

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| 1. | Whether reporters of local newspapers may be allowed to see judgment? | Yes |
| 2 | To be referred to reporters or not? | |
| 3 | Whether the judgment should be reported in the Digest? | Yes |

Present: Mr. Gurminder Singh, Senior Advocate
with Mr. Abhinav Oberoi, Advocate
for the petitioner(s).

Shekher Dhawan, J.

By filing the present review application, applicant/petitioners seeks review of the order dated 10.5.2016, vide which Civil Revision No. 3490 of 2014 was dismissed with the observations that induction of 16 new members was illegal and the same was without any agenda. However, this issue was left open for the trial Court to decide the status of 16 newly elected members.

Along with the Review Application, the applicants have also filed CM-12243-CII-2016 under Section 151 CPC seeking permission to place on record documents (Annexurs P32 to P37). At the hearing, learned counsel for the applicants sought to place reliance on these documents,

which were not even the part of the record of the main revision petition.

Learned counsel for the applicants submitted that main suit is for mandatory injunction and recording of such observation was not within the scope of revision petition.

Having considered the submissions made by learned counsel for the applicants, this Court is of the considered view that the detailed order has been passed taking into consideration the matter in controversy wherein the main point was regarding induction of 16 new members and the observations were recorded by deciding the matter while dealing with such controversy. More so, the main suit, before the Court below, was for declaration to the effect that resolution dated 13.2.2011, passed by the General Body of the Patel Memorial Management Society, Rajpur and resolution No.2 passed by the Managing Committee in its meeting held on 19.10.2010 are illegal, ineffective, inoperative and null and void and apart from that relief of mandatory injunction and permanent injunction was sought. This Court had decided the main petition by passing a detailed order and the same does not require any review. More so, the documents now annexed with CM-12243-CII-2016 were not placed on record of the main revision petition by the applicants and reliance thereupon at this stage is totally misconceived.

Under the garb of present review, learned counsel for the applicants wants to re-argue the matter by taking the same pleas which were earlier raised by him and dealt with in the order dated 10.5.2016. Such a view was taken by Hon'ble Division Bench of this Court in ***Dalbir Singh Lochab and others Vs. State of Haryana and others, 2014(1) RCR (Civil)***

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the parties. The present review application lacks merits in view of the categorical findings recorded in the order under review. I do not find any illegality in the order passed which may warrant any interference in the present review application.

Consequently, present review application stands dismissed being devoid of any merit.

**(Shekher Dhawan)
Judge**

June 03, 2016
“DK”