

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-1856-1858-LPA-2016 in/and

RA-LPA-12-2016

Date of Decision: 26.05.2016

Harjinder Singh & Anr.

... Review-applicants

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE A.B. CHAUDHARI

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Present: Mr. Malkeet Singh, Advocate for the review-applicants

SURYA KANT, J. (Oral)

(1) This review application seeks to recall the order dated 10.11.2014 whereby two LPAs preferred by the review-applicants were dismissed for more than one reasons which have been briefly noticed in para 7&8 of the order dated 10.11.2014. Regardless of those reasons and in the interest of justice, it was further observed in para 9 that if the applicant/appellants still have any proof to establish the eligibility of their grandfather, namely, Acchar Singh, they may approach the competent authority but such recourse shall not revive the cause of action to re-initiate the proceedings.

(2) Aggrieved, the review-applicants filed SLP which was permitted to be withdrawn with liberty to approach this Court by way of the instant review application for which permission was granted by the Hon'ble Supreme Court.

(3) We have heard learned counsel for the review-applicants.

(4) Admittedly, the subject-land has been allotted to a third party

claim of the applicant/appellants, those allottees are bound to be affected. No order prejudicial to their interest can thus be passed behind their back. That apart, this Court need not to go into the factual issues while deciding an intra-court appeal. Since liberty has already been granted to the review-applicants, they may approach the prescribed authority subject to the conditions mentioned in para 9 of the order dated 10.11.2014.

(5) No case to review/recall the order dated 10.11.2014 is made out.

(6) Dismissed.

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Since the review application has been decided on merits, no specific orders are required to be passed in these applications.

(Surya Kant)
Judge

26.05.2016
vishal shonkar

(A.B. Chaudhari)
Judge