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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**RA-RS-73-C-2016 in
RSA No. 1191 of 2012
Date of Decision : November 09, 2016**

Karmail Singh and others ... Applicants-Appellants

Versus

Gram Panchayat, Dhaipai, Respondent

CORAM : HON'BLE MR. JUSTICE DR. SHEKHER DHAWAN

Present Mr. M.L.Saggar, Senior Advocate,
with Mr. Rohit Joshi, Advocate,
for the applicants-appellants.

Mr. Onkar Rai, Advocate,
for the respondent-non applicant.

SHEKHER DHAWAN, J.

Applicants-appellants have filed present Review Application under Section 114 read with Order 47 Rule 1 CPC seeking review of the Judgment dated May 20, 2016 passed by this Court whereby RSA No. 1191 of 2012 was ordered to be dismissed.

2. Learned counsel for the applicants-appellants mainly contended that in fact, he had not raised the argument that the matter in controversy involved vesting and non-vesting of the property with the Gram Panchayat.

3. Learned counsel for the non-applicant contended that the application for review itself is not maintainable in view of the provisions of Order 47 Rule 1 and Section 114 CPC. The scope of review jurisdiction is limited one and the same cannot be extended for substituting a view taken by this Court on merits on different facts. More so, the applicants want to

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re-open the case and re-argue the matter by taking the same pleas which were earlier raised by them and dealt with in the judgment under review, which is not permissible. Reliance on this point has been placed upon the judgment of Hon`ble Supreme Court in **Parsion Devi Vs. Sumitri Devi, 1997(4) R.C.R. [Civil] 458.**

3. Having considered the submissions made by learned counsel for the parties and perusal of the record, this Court is of the considered view that the case of the applicants-appellants, right from the beginning, is that the applicants-plaintiffs were in possession of the suit property and they had become owners of the suit property by way of “adverse possession”. This plea was taken in para No. 4 of the plaint dated 4.3.2005 and in para No. 5 of the Grounds of Appeal before this Court as well. The judgment dated 20.05.2016 was passed keeping in view all the facts and material available on the file and there is no ground for review of the judgment. More so, as per the view taken by Hon`ble Apex Court in **Parsion Devi's** case [supra], the scope of review is limited. This Court does not find any illegality in the judgment passed by the Court which may warrant any interference by way of present review application. Consequently, the Review Application stands dismissed.

(SHEKHER DHAWAN)
JUDGE

November 09, 2016

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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes