

**RA-RS-64-C-2016 AND  
CM-6755-C-2016 IN/AND  
RSA-872-2016**

**Bharat Singh and others Vs. Gudi @ Urmila and others**

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Present : Mr. V.K. Jain, Sr. Advocate,  
with Mr. J.L. Malhotra, Advocate,  
for the applicant/appellants.

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**RA-RS-64-C-2016**

Heard.

From the perusal of the record, it emerges that the application for leading additional evidence was not considered and decided by the appellate Court. Inadvertently, this Court also did not deal with the same while passing judgment dated 28.03.2016. Learned counsel has drawn attention of the Court to the judgment passed by Hon'ble the Supreme Court in *Jatinder Singh and another Vs. Mehar Singh and others, (2009) 17 Supreme Court Cases 465*.

In view of the same, the instant review application is allowed; judgment dated 28.03.2016 is recalled; and the main appeal is ordered to be restored to its original number.

**Main case**

Notice of motion be issued for 14.09.2016.

Meanwhile, the judgment of the appellate Court shall remain stayed till the next date of hearing and the respondents are directed not to interfere in the peaceful possession of the appellant(s).

**12.08.2016**  
*atulsethi*

**(JITENDRA CHAUHAN)**  
**JUDGE**