

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

**RA No. 165-CII of 2015 in
CR No. 4586 of 2015
Date of decision: 02.02.2016**

Diwan Chand Dhaula

... Applicant/Petitioner

versus

Kanta Devi and others

.... Respondents

**2. RA No. 164-CII of 2015 in
CR No. 4585 of 2015**

Diwan Chand Dhaula

... Applicant/Petitioner

versus

Parkash Chand and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Diwan Chand Dhaula, applicant/petitioner In person.

Ms. Mansi Bansal, Advocate, for
Mr. Hemen Aggarwal, Advocate
for respondent Nos. 1 & 2.

K.Kannan, J. (ORAL)

Applications for review of civil revision petitions are dismissed as vexatious and requiring no consideration.

Before parting I must allay the apprehension of the petitioner that his own 1/3rd share guaranteed to him in the preliminary decree will not be given in the final decree. The applicant admits that he has moved already an application under Order 20 Rule 18 CPC. The Court will proceed to appoint local commissioner and elicit suggestion for division of the applicant's/plaintiff's 1/3rd share. If the property is partible the final decree shall be passed and engrossed on general stamps that will be furnished to the value of the plaintiff's 1/3rd

share. If the final decree is passed and drafted in the manner referred to above, the plaintiff will be at liberty to apply for delivery. If the Local Commissioner however returns a report that the property is not partible, anyone of the parties may resort to the provisions of the Partition Act for the right of purchase of one sharer in respect of the other sharer or make provision for sale and for distribution of proceeds amongst the sharers proportionate to their entitlement. I have delineated the various actions that can follow one after another only for the benefit of the petitioner who is nursing a grievance that his own rights will not be properly addressed by virtue of the order already passed by this Court dismissing the revision.

(K.KANNAN)
JUDGE

02.02.2016

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