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

**RA-CR-57-C-II-2016 in
CR No. 5642 of 2015
Date of Decision : October 4th , 2016**

Ritu Chaudhary alias Ritu Jaglan ... Petitioner

Versus

Satvinder Singh Chaudhary and another
.... Applicants/Respondents

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

Present Mr. Arvind Singh, Advocate,
for the applicants-respondents

Mr. Parminder Singh, Advocate,
for the Non-Applicant/petitioner.

SHEKHER DHAWAN, J.

Present Review Application under Order 47 Rule 1 CPC read with Article 226 of Constitution of India for recalling/reviewing order dated 20.1.2016 [Annexure R/1] passed by this Court whereby CR No.5642 of 2015 was allowed.

Learned counsel for the applicant-respondents has mainly taken the plea that the main petition, CR No. 5642 of 2015 was decided without issuing notice to them.

To that extent, the facts are not disputed in any way. The revision petition was allowed *in limine* and detailed reasons were given in the order dated 20.1.2016 [Annexure R/1]. It was categorically observed therein that the controversy involved in the matter is whether the petitioner is a coparcener of the joint hindu family property or not and such a controversy could be decided only by leading the evidence and as such plaint could not be rejected under Order VII Rule 11 CPC. Such a view was taken by the Delhi High Court in **Varun**

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Thakore Vs. D.P.Thakore, 1998 (1) RCR [Civil] 603. Now, by filing this revision petition, learned counsel for the applicant-respondents wants to re-open the case, though the Court has already expressed its view on merits.

I do not find any illegality in the order passed by this Court which may warrant any interference in the present review application. Consequently, the Review Application stands dismissed.

(SHEKHER DHAWAN)
JUDGE

October 4th, 2016
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Whether speaking/reasoned	:	Yes
Whether Reportable	:	No