

CM-2845, 2846 AND 2847 LPA-2016 AND
RA-17-2016 IN
LPA-698-2016

DR.KRISHAN THAKUR VS STATE OF PUNJAB AND OTHERS

Present: Mr.Veneet Sharma, Advocate
for the applicant.

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CM-2845-LPA-2016

We have heard learned counsel for the applicant in support of the prayer made in the application.

Prayer in the application is for impleadment of the applicant as a party-respondent in the Letters Patent Appeal which already stands disposed of on 25.05.2016. The applicant was not a party-respondent in the writ proceedings out of which the Letters Patent Appeal arose. In our considered view, application seeking impleadment is wholly misconceived and is, thus, dismissed.

CM-2846-LPA-2016

Application is allowed. Annexures A-1 to A-4 are taken on record subject to all just exceptions.

RA-17-2016

The review-applicant seeks to recall the order dated 25.05.2016 whereby the intra-Court appeal was allowed. It may be noticed that controversy in the main case pertained to the sale of a small piece of land measuring 30.62 square yards. The non-applicant-appellant was keen to purchase that land as it had become a source of nuisance or illegal activities as it is just in front/adjoining his house. The Municipal Corporation offered to sell the said piece of land at the rate of ₹10,560/- per sq.yards, i.e. at the market rate in the residential area, to which the non-applicant-appellant gave his consent.

Consequently, the appeal was disposed of in the above-stated agreed terms. The review-applicant now seeks to recall the afore-stated order

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and claims that the disputed piece of land ought to have been sold through public auction.

Having regard to the size of the plot which shall have to be used only for residential/non-commercial purposes, we see no justification in the prayer.

Dismissed.

Since the review application has been decided on merit, there is no need to pass separate order in the application for condonation of delay.

(SURYA KANT)
JUDGE

August 05, 2016
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(A.B.CHAUDHARI)
JUDGE