

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

**RA-RS No.143-C of 2016 (O&M) in
RSA No.102 of 2011
Date of Decision.08.12.2016**

Harbhajan Singh Deol

.....Appellant

Vs

Avtar Singh and others

.....Respondents

Present: Mr. Onkar Singh, Advocate
for the applicant-respondent.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

Mr. Onkar Singh, Advocate files vakalatnama with no objection for the applicant-respondent and submits that against the judgment dated 24.05.2016 passed by this Court, a Special Leave Petition was filed bearing No.27634 of 2016 which was dismissed vide order dated 26.09.2016. The dismissal of SLP would not be a bar in filing the review petition as there is error apparent on the face of record, owing to the fact that there is no specific challenge to the gift deed.

He further submits that appellants-plaintiffs have not been able to prove the property to be ancestral. On going through the contents of the review petition, I am of the view that all the averments in the review petition is an attempt to re-argue the appeal which is not the scope of the review. The observation of mine with regard to the fact there is no challenge to the gift deed has already been upheld by Hon'ble Supreme Court, keeping in view the fact that the original gift deed has not seen the light of the day. The statement of DW2, Record Keeper from the office of Registrar noticing the same, has been accepted.

I do not intend to recall/review the judgment passed on 24.05.2016 as there is no error apparent on the face of record.

Even the application is accompanied by delay of 134 days. No explanation or cogent reasons have been given seeking condonation of the delay as the SLP was dismissed on 26.09.2016. In my view, the delay is not explained.

The review application is dismissed on both ground i.e. on account of delay and as well as on merits.

(AMIT RAWAL)
JUDGE

December 08, 2016

Pankaj*

Whether speaking/reasoned Yes

Whether reportable No