

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Civil Revision No.3125 of 2017
Date of decision: May 22, 2017

Janak Raj ...Petitioner

Versus

Rani Devi and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.K. Arya, Advocate for the petitioner.

Rajan Gupta, J.

Present revision is directed against the order dated 02.02.2017, passed by Civil Judge (Junior Division), Gurdaspur, whereby objections filed by the petitioner against passing of final decree, have been dismissed.

Learned counsel for the petitioner has contended that the court below has erroneously dismissed the objections filed by the petitioner against passing of the final decree, as decree had been obtained by concealing material facts. Thus, impugned order deserves to be set aside.

I find no merit in the plea. Admittedly, plaintiff/respondent No.1 had filed a suit for separate possession of her 1/3rd share by way of partition in residential house situated within the municipal limits of Dinanagar. A preliminary decree was passed in favour of respondent No.1/decree holder on 31.10.2005. The decree holder filed an application for passing of final decree. Petitioner filed objections against passing of the final decree. Same have been dismissed by the court below on the ground

that since petitioner is not having any share in the suit property, he is not entitled to file such objections. I find no infirmity with the order passed. It appears, appeal filed by the petitioner had already been dismissed way back on 16.12.2009. The present revision petition is totally frivolous in nature and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

May 22, 2017
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No