

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CR No.8467 of 2015

Date of decision:12.5.2017

Inderjeet and another

...Petitioners

Versus

Dayanand and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Sandeep Kotla, Advocate for the petitioners.
None for the respondents.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the order dated 20.5.2015 passed by the learned trial Court, whereby prayer made by the petitioners for refund of court fees, seeking review of the order dated 29.1.2014, vide which suit was decreed, they have approached this Court by way of instant civil revision petition under Article 227 of the Constitution of India.

Notice of motion was issued.

As per the office report dated 18.2.2016, service on the respondents was effected. However, nobody came present on behalf of the respondents.

Heard leaned counsel for the petitioners.

A bare combined reading of the impugned order dated

20.5.2015 and order dated 29.1.2014 passed by the learned trial Court would make it crystal clear that the learned trial Court committed no error of law, while passing the impugned order. It is so said because the suit for specific performance filed by the petitioners was decreed on the basis of compromise arrived at between the parties. Thus, instant one was not a case where plaintiff might have withdrawn his suit on the basis of compromise.

Further, the learned trial Court found no typographical error or any other mistake apparent in the record of the case so as to make out any scope for review of the order dated 29.1.2014. Having said that, this Court feels no hesitation to conclude that the learned trial Court was well within its jurisdiction to pass impugned order and the same deserves to be upheld.

During the course of hearing, learned counsel for the petitioners could not point out any patent illegality or perversity in the impugned order, which may warrant interference, at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. The impugned order has been found based on true facts of the case and it has also been passed, strictly in accordance with law. The impugned order is supported by sound reasons, because of which no fault can be found with it and the same deserves to be upheld, for this reason also.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that the instant civil revision petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail.

No case for interference has been made out.

Resultantly, with the above-said observations made, the present civil revision petition stands dismissed, however, with no order as to costs.

12.5.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No