

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

RA-RS-94-C-2015 in
RSA No.1404 of 2012
Date of decision : 21.05.2018

Mohinder Pal and others

...Applicants/Appellants

Versus

Avtar Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjay Gupta, Advocate for the applicants/appellants.

ANIL KSHETARPAL, J. (ORAL)

CM No.14179-C of 2015

For the reasons stated in the application, which is duly supported by an affidavit, delay of 7 days in filing the review petition is condoned.

Application is allowed.

CM No.14180-C of 2015

For the reasons stated in the application, which is duly supported by an affidavit, delay of 13 days in refiling the review petition is condoned.

Application is allowed.

RA-RS-94-C-2015 (O&M)

This review petition has been filed against the detailed judgment passed by this Court on 17.07.2015.

Learned counsel for the review applicants has pointed out that

this Court while writing the judgment, has noticed a wrong fact that the appellants did not challenge the judgment and decree passed by the trial Court. He has submitted that in fact, before the First Appellate Court, the appellants had also filed the appeal. The arguments of the learned counsel for the review applicants appear to be correct and the fact noticed is incorrect. However, this Court has heard the learned counsel for the review applicants the other issues also.

It has been noticed by this Court that the appellants or their predecessor are claiming to have purchased the property measuring 14 kanals 3 marlas which was recorded as graveyard and the Courts have found that the vendors of the appellant were not owners of the property and as such the appellants would get no right, title or interest in the property. In fact, it was the property which was being used for graveyard and no body can be allowed to change the nature of the land.

In view thereof, there is no scope for reviewing the detailed judgment passed by this Court on 17.07.2015.

Hence, the present review application is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the abovesaid order.

21.05.2018

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**