

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

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**RA-RS-70-C-2018 (O&M) in  
RSA No.2906 of 1988**

**Date of decision: 26.09.2018**

Satbir Singh and others

**..... Appellants**

Versus

Surjit Singh

**..... Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Rakesh Gupta, Advocate  
for the applicants-appellants.

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**ANIL KSHETARPAL, J. (ORAL)**

This review application has been filed against the judgment passed by this Court on 20.04.2018. It is admitted by learned counsel for the applicants-appellants that at the stage of arguments, the application for additional evidence was not pressed at the time when the appeal was disposed of. However, he submits that the aforesaid application has not been decided by the Court.

Although, technically once an application is not pressed, the judgment passed by the Court does not suffer from any error, however, learned counsel for the applicants-appellants has been given opportunity to make submission on the application for additional evidence. The documents sought to be produced by way of additional evidence are part of the official record and these documents were in the knowledge of the appellants. Once these documents were in the knowledge of the appellants,

the prayer for additional evidence does not fall within the scope of Order 41, Rule 27, CPC.

In view thereof, the application for additional evidence is dismissed and the only ground on which the review has been sought stands rectified. The review application is otherwise also not maintainable as it has been argued by a new counsel which is not permissible.

Hence, the review application is dismissed.

No order is required to be passed in miscellaneous application (CM-10936-C-2018) for condoning the delay.

**26.09.2018**  
Dinesh Bansal

**( ANIL KSHETARPAL )  
JUDGE**

Whether speaking/reasoned                      Yes / No

Whether Reportable                                Yes / No