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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA 11/2016

HARIOM DECEASED THR HIS LRS

..... Appellants

Through: None.

versus

RAJ SINGH & ORS

..... Respondents

Through: Mr. Anil Kumar, Advocate for
respondent Nos.1 and 2 (M.
No.9810537420).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **16.01.2019**

Review Petition No.12/2019 and C.M. Nos.1543/2019(stay) & 1544/2019(exemption)

1. This appeal was decided in favour of the appellants by a detailed judgment dated 20.12.2018. Trial court by the impugned judgment at the stage of final arguments had rejected the plaint under Order 7 Rule 11 of Code of Civil Procedure, 1908 (CPC) on account of consequential relief not claimed as required by Section 34 of Specific Relief Act, 1963 and appropriate court fee having not been filed.

2. All the relevant aspects have been discussed in detail in the judgment dated 20.12.2018 for allowing the appeal. A review petition only

lies if there is an error apparent on the face of the record and not to re-argue the matter on merits. In any case even if this review petition is taken for re-hearing the matter, I do not find any argument raised by the applicants/respondent nos.1 and 2 which can in any manner change the conclusions and discussion in the judgment passed on 20.12.2018.

3. Dismissed.

VALMIKI J. MEHTA, J

JANUARY 16, 2019

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