

RA-RS-25-2019 (O&M) in
RSA No.5454 of 2017 &
RA-RS-30-2019 (O&M) in
RSA No.3176 of 2017

Madalsa Versus Himanshu Singhal & others

Present: Mr. O.P.Sharma, Advocate,
for the applicant-appellant in both the cases.

Prayer in the review applications is for review of the order dated 16.01.2019, whereby RSA Nos.5454 and 3176 of 2017 were dismissed by this Court by holding that the property at the hands of Avdesh Saran, father of Ravi Bala, mother of the plaintiff, was not ancestral.

Mr. O.P.Sharma, learned counsel for the applicant-appellant submits that there was misreading of the revenue record, i.e., Ex.P18 to Ex.P20 as the Khata and Khewat number regarding inheritance of the property from Bansi Lal to Beni Parshad, Beni Parshad to Avdesh Saran, Avdhesh Saran to Ravi Bala are the same.

Attention of this Court has been drawn to the true translations of the aforementioned documents Annexures A1 to A3.

I have heard the learned counsel for the applicant-appellant and of the view that there is error apparent on record to establish the nature of the property to have been inherited from three ancestors and Ravi Bala the 4th generation.

In view of the above, the order dated 16.01.2019 is recalled and the appeals are restored to their original numbers.

Review applications stand disposed of.

RSA Nos.5454 & 3176 of 2017

Inter-alia contends that the Courts below have misread the

mutations Ex.P18, Ex.P19 and Ex.P20 reflecting the transfer of the property on demise of the great grand father of Ravi Bala, i.e., Bansi Lal in favour of Avdhesh Saran. The alienation was in 2007 when the amendment conferring the right of the daughter as coparcener was w.e.f. September, 2005.

Notice of motion for 30.07.2019.

A photocopy of this order be placed on the connected file.

April 03, 2019
ramesh

(AMIT RAWAL)
JUDGE