

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-5421-5422-CWP-2019 and RA-CW-155-2019 in CWP-24489-2018

Date of Decision: 09.04.2019

Amarjit Kaur & Ors.

... Appellants

VS.

Commissioner-cum-Deputy Commissioner,
Ludhiana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Vaibhav Sehgal, Advocate for the review applicants

G.S. SANDHAWALIA, J. (Oral)

CM-5421-CI-2019

The present application has been filed for condonation of 126 days delay in filing the review application.

In view of the averments made in the application showing sufficient cause explaining for the delay duly supported by affidavit, the delay of 126 days in filing the review application is hereby condoned.

CM stands disposed of.

RA-CW-155-2019 (O&M)

The review application has been filed seeking review of the order passed on 29.10.2018 by a counsel who was not associated with the filing of the writ petition earlier. An attempt is made to re-argue the matter on account of the liberty granted by the Division Bench in LPA No.68 of 2019 vide order dated 26.03.2019.

It is to be noticed that the ejectment order was passed on 26.05.2014 and which had been upheld on 14.10.2015. Thereafter an attempt was made to get the property demarcated but not of the relevant khasra Nos. from which eviction has been sought and the review had been dismissed on 14.03.2018 by the Appellate Authority and upheld by this

Court. This Court has already noticed that the eviction was on the basis of admission made that the landowners as such had never filed reply but taken the plea that they were willing to purchase the land and thus have admitted that they were in unauthorized possession. In such circumstances, an effort which is made to re-argue the case on the ground that eviction was without any justification is baseless.

The Apex Court in **T.N. Electricity Board & Anr. vs. N.Raju Reddiar & Anr. (1997) 9 SCC 736** has held that review by counsel who was not associated with the earlier proceedings is not justified and only wastes Court time. The present case is a classic example of that. Resultantly, no ground to review the order dated 29.10.2018 is made out.

Dismissed.

09.04.2019

wvishal

(G.S. Sandhawalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No