

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

RA-RS No.110 of 2019 (O&M) in
RSA No.2023 of 1987
Date of Decision.05.09.2019

Gurnam Singh and another
Vs
...Petitioners

Gurdial Chand (since deceased) through LRs and others
...Respondents

Present: Mr. Surinder Mohan Sharma, Advocate,
for the applicants-appellants.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

C.M. No.11180-C of 2019

For reasons stated in the application, delay of 153 days in filing
of review application is condoned.

Application is allowed.

RA-RS No.110 of 2019

The applicants-appellants have invoked jurisdiction of this
Court under Order 47 Rule 1 CPC for review of the order dated 31.01.2019
by submitting that finding of this Court with regard to decree of redemption
has become un-executable is not affecting rights of appellants as they have
purchased the property and as well as finding giving right to claim partition
but predicament is writ large as one of the co-owners having 1/4th share had
already mortgaged property with the bank and on account of non-payment
of loan amount, bank has already obtained a decree for recovery.
Applicants-appellants are willing to buy the share.

In my view, this cannot be a ground for review as there is no
error apparent on the face of record but applicants would be at liberty to

approach the Bank for settlement of dues in terms of decree in any mode,
which they choose to.

Application stands disposed of.

**(AMIT RAWAL)
JUDGE**

September 05, 2019
Pankaj*

Whether speaking/reasoned	Yes
Whether reportable	No