

CM No. 805-C-2018 in/and
RA-RS-2-C-2018 in
RSA No. 1725 of 2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No. 805-C-2018 in/and
RA-RS-2-C-2018 in
RSA No. 1725 of 2016
Date of Decision: 29.01.2019

Amrit Lal

.....Appellant

Vs.

Savitri and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Mayank Mathur, Advocate, for
Mr. Bharat Bhushan, Advocate,
for the applicant-appellant.

AMOL RATTAN SINGH, J. (ORAL)

By this application (RA-RS-2-C-2018), the applicant-appellant seeks a review of the judgment of this Court dated 02.06.2017, by which the second appeal filed by the appellant was dismissed with the findings of the learned courts below upheld.

Learned counsel for the applicant-appellant points to the finding recorded by this Court on the question of respondents no. 2 to 4 being the children of the late Rohtash, on the basis of the documents led by way of evidence to that effect, including the education certificates issued by the Central Board of Secondary Education, wherein the late Rohtash was shown to be their father, with the name of Savitri also having been given as the mother of the children in the said certificates.

Though learned counsel has submitted that the said certificates could not have been accepted by way of evidence by the trial court without any officer/official of the Central Board of Secondary Education having testified in respect of the correctness of those documents, they not being public documents as the Central Board of Secondary Education cannot be taken to be a Government organization and at best only a semi-Government organization, I find myself unable to accept that contention for two reasons. Firstly, it has not been shown in any manner, at any stage, that the certificates issued by the Central Board of Secondary Education are not public documents and secondly, in any case, this is a review application with this Court already having accepted the view of the learned courts below that the respondents were entitled to their share of the property of the late Rohtash, respondents no. 2 to 4 having been accepted to be his children, even as per the aforesaid documents.

Consequently, the said documents having been duly noticed by this Court and the view of the courts below not found to be erroneous, I see no reason to entertain a review application, which can only be entertained on the ground that there is an error patent on the face of the record.

Hence, this application (RA-RS-2-C-2018) is dismissed for the above reasons as also on the ground of the delay in filing it.

January 29, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes