

**CM-852-C of 2021 in/and
RA-RS-6-2021 in
RSA 647 of 2020**

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-852-C of 2021 in/and
RA-RS-6-2021 in
RSA 647 of 2020
Date of Decision: August 25, 2021**

State of Punjab and othersPetitioners
Versus
Paramjit Singh and others Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Suveer Sheokhand, Addl. A.G. Punjab.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through
video-conferencing on account of outbreak of pandemic COVID-
19.

CM-852-C of 2021

For the reasons mentioned in the application, the

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same stands allowed.

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This Court vide order dated 14.02.2020 disposed off the appeal of the present applicant-State of Haryana and another whereby the appeal stood dismissed in *limine*. The judgment and decree of learned Additional Civil Judge (Senior Division) Ferozepur dated 14.05.2018 and that of learned District Judge, Fazilika dated 18.11.2019 were upheld. Rather than challenging the findings of this Court before a Superior Court the then appellant now applicant filed the instant review application on 12.02.2020 after a gap of almost 1 year. The review that is sought to be made by the applicant then appellant /State is exemption from payment of costs of Rs.6,00,000/- so imposed by the judgement of this Court.

Upon hearing learned counsel for the two sides and

perusal of the records, it is explicitly clear from the wording of Order 47 Rule 1 CPC that such a power of review of a judgment in second appeal is to be made in the rarest of rare cases providing their sufficient grounds within the ambit of Order 47 Rule 1 of the CPC.

Reverting back to the instant case much of the pleadings in the application revolves around what was there as an evidence to be considered by the Courts below who have done it so and has been grounds of the findings of the Courts. Merely because heavy costs have been imposed by this Court is no ground to seek review of the findings of this Court. The Counsel for the applicant could not convince this Court how there has been miscarriage of justice, discovery of new facts or reasons which are bonafide and legally condonable. Due reasons have been given in the judgment of this Court for which it was necessitated to impose such a heavy costs and,

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therefore, this Court does not fully inclined to grant any relief so
prayed in the application.

The application stands dismissed, accordingly.

August 25, 2021
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No