

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

**CM-11506-CWP-2023
CM-11507-CWP-2023 in/and
RA-CW-252-2023 in
CWP-11800-2022
Date of decision: 19.03.2024**

Sarabjit Kaur and others

.....Petitioners

versus

The Financial Commissioner Revenue Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Jatinder Singla, Advocate with
Mr. Amjad Khan, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present review application has been filed for reviewing of judgment/order dated 27.05.2022 passed by this Court in CWP-11800 of 2022 titled as *Sarabjit Kaur and others Vs. Financial Commissioner Revenue, Punjab and others* whereby the writ petition has been dismissed as withdrawn without noticing the most genuine request raised by counsel for the petitioners that private respondent No.5-Harvinder Kaur, alleged wife of Hari Singh, had not admitted the compromise dated 13.02.2013 as correct and learned Court of Additional Civil Judge (Senior Division), Samana vide his order dated 11.05.2022 allowed CM-67-CWP-2021 filed in Civil Suit No.379 of 27.10.2012 titled as *Sarabjit Kaur and others Vs. Harvinder Kaur and others* with liberty to file fresh writ petition with better particulars and by attaching the abovesaid documents be granted. Along with the main review application CM-11506-CWP-2023 has been filed for condonation of delay of 380 days in filing the present review application. Another application i.e. CM-11507-CWP-2023 has been filed for placing on record documents Annexure A-1 to A-4 i.e. order of Tribunal Authority-cum-SDM, Samana, order dated 28.02.2017 of

District Magistrate, Patiala, order of Additional Civil Judge (Senior Division), Samana dated 11.05.2022 and compromise dated 13.02.2013.

Learned counsel for the applicants has stated that the applicants could not produce on record the documents sought to be produced now by way of CM No.11507-CWP-2023 and as such, the facts were not correctly pleaded before this Court and as such, the order dated 27.05.2022 is liable to be reviewed and liberty should be given to the applicants-petitioners to file fresh writ petition with better particulars. With regard to delay occurred in filing the present review application, learned counsel for the applicants/petitioners has submitted that the petitioners did not know the technicalities of law and were not having sufficient funds for pursuing the case further and as such, delay of 380 days has occurred and the same is liable to be condoned.

Heard. Perusal of the order dated 27.05.2022 shows that after arguing for some time and realizing that the Court was not inclined to agree with him, learned counsel for the petitioners prayed for withdrawal of the petition which was allowed. The documents sought to be produced now were not available on file at the time of passing of the abovesaid order by this Court. There is no error in the order dated 27.05.2022 apparent on the face of record. There is no plausible explanation furnished by the applicants for condonation of huge delay of 380 days. Thus, finding no merits in the review application as well as abovesaid two applications, the same are hereby dismissed.

19.03.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No