



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

CR-3315-2018 (O&M)

Date of decision : 29.04.2025

Ramandeep Minor through his mother

Smt. Geeta Devi

...Petitioner

Vs.

Partap @ Partap Singh (deceased)

through LR's and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Kumar Nehra, Advocate
for the petitioner.

Mr. Sandeep Punchhi, Advocate
for respondent No.1.

ANIL KSHETARPAL, J. (Oral)

CM-4517-CII-2025

1. This application has been filed under Order 22 Rule 4 read with Section 151 CPC for bringing on record the legal representatives of respondent No. 1-Partap @ Partap Singh.
2. For the reasons mentioned in the application, which is supported by the affidavit of Smt. Geeta Devi w/o late Sh. Subhash, the same is allowed subject to all just exceptions and the legal representatives of respondent No. 1 are ordered to be taken on record.
3. Amended memo of parties is taken on record.
4. The application stands allowed.

Main case

1. The present revision petition has been filed by Ramandeep, minor, through his mother Smt. Geeta Devi. He was born in the year 2009 from the



wedlock of Sh. Subhash and Smt. Geeta Devi.

2. Originally, Sh. Partap @ Partap Singh s/o Ganga Jal filed a civil suit for grant of decree of declaration that he is the owner of the property by virtue of a family settlement against Sh. Raja Ram, grandfather of Ramandeep. Sh. Raja Ram appeared in the Court and admitted the claim of Sh. Partap @ Partap Singh. However, the trial Court dismissed the suit on 02.12.1999. Sh. Partap @ Partap Singh filed the first appeal, which was accepted and the matter was remitted back to the trial Court for fresh decision on 02.03.2001. However, Sh. Raja Ram died on 19.03.2000. On the statement of learned counsel representing Sh. Raja Ram, the suit filed by Sh. Partap @ Partap Singh was decreed on 05.05.2001.

3. It would be noted here that widow-Smt. Amravati and son Sh. Subhash of Sh. Raja Ram filed a separate suit for declaration that they are owners of the aforesaid property. In this suit, there was a settlement between the parties resulting in withdrawal of the suit on 29.05.2001. Thus, the widow and son withdrew their claim to the suit property.

4. Smt. Amravati also filed a criminal complaint in the Court against Sh. Partap @ Partap Singh alleging fraud on 03.03.2001, which was withdrawn on 04.10.2001.

5. Subsequently, the petitioner was born. He filed an independent (present) suit for grant of decree of declaration that he is the owner of 1/3rd share of the land measuring 52 kanals 08 marlas. In substance, the petitioner claims that the decree passed on 05.05.2001 is illegal because Sh. Raja Ram died on 19.03.2000. His suit was dismissed. The First appeal and review filed by him were also dismissed. Now, the present revision petition has been filed

to challenge the order of review. He did not file any regular second appeal against the judgment and decree passed by the First Appellate Court while dismissing his appeal.

6. It is evident that the petitioner was not in the womb when the decree was passed on 05.05.2001. Moreover, on 29.05.2001, the petitioner's grandmother and father withdrew the suit previously filed by them.

7. Keeping in view the aforesaid facts, no ground to interfere is made out.

8. Hence, the revision petition is dismissed.

9. All the pending miscellaneous applications, if any, are also disposed of.

29.04.2025
neeraj

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No