



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RA-RS-61-C-2016 (O&M) and
CM Nos. 2790-C-2015 &
CM-9977-C-2014
IN RSA-658-2013

Date of Decision: 22.07.2025

Har Kaur

....Applicant-Appellant

Versus

Ram Piari and others

.... Non-applicant/Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Ajay Kumar, Advocate for the applicant-appellant.

Mr. Raj Kumar, Advocate.

NIDHI GUPTA, J.(ORAL)

1. The review-applicant/appellant/plaintiff has filed the present review application (RA-RS-61-C-2016) under Order XLVII Rule 1 read with Sections 114 and 151 CPC for review of the order dated 29.11.2014 passed by co-ordinate Bench of this Court in CM-14313-C-2014 in RSA-658-2013 whereby the said application was allowed.

2. Perusal of the record shows that the main second appeal was dismissed in *limine* vide order dated 21.08.2014 passed by a co-ordinate Bench of this Court. Thereafter, an application CM-14313-C-2014 for correction of title of the appeal was filed by the review applicant, which was also allowed by a co-ordinate Bench vide order dated 29.11.2014. Now, by way of filing the present review application, the applicant has sought review of the order dated 29.11.2014.

3. Review of the order dated 29.11.2014 is sought on the ground of non-joinder/misjoinder of parties; and it is accordingly prayed that the review petition may kindly be allowed and the impugned order be set aside



and the matter be remanded back to the lower court for correction/impleading of the necessary party i.e. Ram Piari. The Review Application is filed along with an application bearing CM-5994-C-2016 under Section 5 of the Limitation Act for condonation of delay of 510 days in filing the accompanying review application.

4. Further, perusal of record reveals that since its very inception, from the first date of hearing i.e. 20.05.2016, the present review-application was constantly being adjourned either on account of non-appearance on behalf of the review-appellant or on some dates at the request of learned counsel for the review-applicant; and notice is yet to be issued in the same. Even today a request for an adjournment has been made by learned counsel for the applicant-appellant. Thus, the present review application is pending for preliminary hearing before this Court for the past 11 years.

5. A bare reading of the above facts shows that the review-applicant has exhibited an utterly casual attitude in her pursuit of the present litigation. It is to be appreciated that very valuable public time of the Court has been expended in affording opportunities to the review-applicant in the interest of justice. On the other hand, the review-applicant has adopted an utterly casual and careless approach. It is clear that neither the review-applicant nor her counsels are seriously interested in pursuing the present matter.

6. Moreover, it is well-established position in law that a review application is not meant to permit the review applicants to re-argue the entire case and raise the points that could have been raised during the initial hearing. The order dated 29.11.2014, was passed in the presence of learned counsel for the review-applicant. An order passed by this Court can be reviewed if there is manifest error on the face of the record meaning thereby



that there is a clear and obvious mistake in the judgment. The Review Application is not meant to re-agitate arguments or pleadings that were omitted during the hearing of the main matter. I find no such error in the order dated 29.11.2014. Thus, the present review application is hereby **dismissed.**

7. Since, the main review application has been dismissed for non-prosecution, therefore, no separate order is required to be passed in the application bearing CM-5994-C-2016, seeking condonation of delay of 510 days in filing the present review application and the same along with other pending applications bearing CM-5993-C-2016, CM- 2790-C-2015 and CM-9977-C-2014 also stand dismissed.

22.07.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No