



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

**RA-CR-59-2025 in  
CR No.1745 of 2022  
Date of decision : 26.08.2025**

Gurdev Singh and others .....Petitioners

Versus

Harbans Singh and others .....Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. Aayush Gupta, Advocate  
for the applicants/respondent No.6 & 7.

Mr. Puneet Jindal, Sr. Advocate with  
Mr. Karan Singla, Advocate and  
Ms. Malvi Aggarwal, Advocate  
for the non-applicants/petitioners.

**PANKAJ JAIN, J. (ORAL)**

The present review application has been filed pursuant to the liberty granted by Supreme Court.

2. Mr. Gupta has raised plea that the revision petition was not maintainable and the only course for the appellants/petitioners was to file appeal against the order. Reliance is being placed upon Order XLIII Rule 1(u) CPC. He further submits that once the remand order had already been complied with and the parties had submitted to the jurisdiction of the Court, pursuant thereto, the revision ought not have been allowed.

3. I have heard counsel for the parties and have carefully perused the record.



3. The reliance placed upon Order XLIII Rule 1(u) CPC, is misconceived. Once, this Court had held that the provision as contained under Order XLI Rule 23 CPC is not attracted and the power invoked is relatable to Order XLI Rule 25 CPC, only revision petition was maintainable and the order was not amenable to appellate jurisdiction under Order XLIII Rule 1(u) CPC, as claimed.

4. In view thereof, the first plea raised by Mr. Gupta, is rejected.

5. So far as the second plea raised by Mr. Gupta is concerned, the fact being pointed out was never brought to the notice of this Court at the time the revision was argued.

6. In view thereof, finding no merit in the instant application, the same is ordered to be dismissed.

**August 26, 2025**

**Dpr**

**(Pankaj Jain)**

**Judge**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No