

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Civil Review No.81 of 2019

Lalu Sahu Appellant/Defendant
 Vs.

1. Rama Shankar Sahu
2. Anand Sahu
3. Prem Kumar Sahu
4. Sita Ram Sahu
5. Lakhan Sahu
6. Suresh Sahu
7. Naresh Sahu
8. Manoj Sahu
9. Nanad Kishore Sahu Respondents/O. Parties

CORAM: HON'BLE MR. JUSTICE DR. S. N. PATHAK

 For Appellant : Mr. Shaukat Eqbal, Advocate
 For Respondents : -----

I.A. No.413 of 2020

06/ 31.01.2020 The instant Interlocutory Application has been filed under Section 5 of the Limitation Act to condone the delay of 71 day in filing the instant application.

Learned counsel for the appellants submits that the delay was neither intentional nor deliberate, rather it happened due to compelling circumstances.

Having heard the learned counsel for the appellant and as the no sufficient cause has been shown in the instant Interlocutory Application, I.A. No. 413 of 2020 stands dismissed.

Civil Review No.81 of 2019

This review application has been filed for review of the order dated 23.04.2019 passed in S.A. No.399 of 2016, whereby and whereunder, this Court has been pleased to dismiss the said Appeal and affirms the Judgments and Decree of the learned Courts below.

Learned counsel for the appellant submits that this Hon'ble Court has not been pleased to appreciate the concept of hostile possession of the defendants since long in the disputed property, which has jointness in possession and ownership and title. He further submits that the First Appellate Court and trial court has not appreciated the concept of Hindu School of Mitakshara Law.

I have considered the submissions of the learned counsel for the appellant and taken note of the grounds urged. The impugned Judgment/order

does not suffer from any such errors apparent on the face of record, which merits review. The findings rendered by the Court in S.A. No.399/2016 in the case of the appellant, cannot be interfered at this stage as the review petition is barred by limitation as also there is no merit in the instant case. Hence, it is dismissed.

(Dr. S.N. Pathak, J.)

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