

CHAMBER MATTER

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

REVIEW PETITION (C) NO(s).763/2010
IN
S.L.P.(CIVIL) NO. 279/2010

HARBANS LAL

Petitioner(s)

VERSUS

BASANT LAL & OTHERS

Respondent(s)

(with appln(s) for c/delay in filing review petition)

Date: 22/04/2010 This Petition was circulated today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE R.M. LODHA

By Circulation

UPON perusing papers the Court made the following
O R D E R

Delay condoned.

The Review Petition is dismissed.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[Signed Order is placed on the File]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

REVIEW PETITION (C) NO(s).763/2010
IN
S.L.P.(CIVIL) NO. 279 OF 2010

HARBANS LAL

Petitioner(s)

VERSUS

BASANT LAL & OTHERS

Respondent(s)

O R D E R

Delay condoned.

This Review Petition has been filed seeking review

of this Court's order dated 11th January, 2010 dismissing the special leave petition in default of appearance as also on merits.

We have carefully gone through the review petition and the connected records. Insofar as dismissal of special leave petition in default of appearance is concerned, one of the points taken in the review petition is that the name of the another counsel was shown in the cause list instead of the name of the counsel for the petitioner. We have perused the main cause list as well as supplementary list of 11th January, 2010 and we see that the office has corrected the mistake by showing the name of the counsel for the petitioner in the supplementary list. Insofar as dismissal of the special leave petition on merits is concerned, we reiterate that the last Court on facts is the first Appellate Court which reversed the findings of the trial Court and hence the High Court was right in not

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interfering with the findings of fact recorded by the first appellate Court. Hence, we do not find any error apparent on the face of the record which calls for review of the aforesaid order.

The review petition is, accordingly, dismissed.

.....J.
(MARKANDEY KATJU)

.....J.
(R.M. LODHA)

NEW DELHI;
APRIL 22, 2010