

Court No. - 45

Case :- CRIMINAL MISC REVIEW APPLICATION No. - 17 of 2023

Applicant :- Pradeep Kumar And 4 Others

Opposite Party :- State Of U.P. And 4 Others

Counsel for Applicant :- Rakesh Kumar Verma

Counsel for Opposite Party :- C.S.C.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Surendra Singh-I,J.

1. Heard Sri Rakesh Kumar Verma, learned counsel for the applicant and Sri G.P. Singh, learned AGA for the State and perused the record.
2. The present review application has been filed beyond time by 147 days.
3. We have gone through the affidavit filed in support of the delay condonation application. There is no explanation whatsoever for such huge delay in filing the review application. We find that common affidavit in support of the delay condonation application as well as in the review application has been filed.
4. While arguing the delay condonation application, learned counsel for the applicant has also made submissions in respect of the merit of the case. However, he submitted that there had been earlier prosecution as well in respect of the same dispute in the year 2018 and this fact has to be considered. However, he fairly admitted that these facts were mentioned in the petition itself and therefore, in view of this Court, the applicant is in fact seeking re-hearing of the matter, which is not permissible in light of the law laid down in respect of the review application.

5. Therefore, the delay condonation application in filing the review application stands rejected and consequently, the review application also stands rejected.

Order Date :- 9.11.2023

Akbar