

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

Review Petn. No. 13 of 2020
(Ref:- Arising out of W.P.(C) No. 640 of 2015)

1. The State of Manipur represented by the Principal Secretary/Commissioner (Home), Government of Manipur.
2. The Deputy Commissioner, Bishnupur, Manipur.
3. The Superintendent of Police, Manipur Central Jail, Sajiwa, Manipur.
4. The Officer-in-Charge, Moirang Police Station, Bishnupur, Manipur.
5. The Officer-in-Charge, Heingang Police Station, Manipur.

Review Petitioners

Vs.

Konjengbam (O) Pishak Devi, aged about 43 years, W/o (L) K. Mani Singh, resident of Moirang Siribon Leikai, P.O. & P.S. Moirang, Bishnupur District, Manipur.

Respondent

BEFORE
**HON'BLE THE CHIEF JUSTICE MR. SIDDHARTH MRIDUL
HON'BLE MRS. JUSTICE GOLMEI GAIPHULSHILLU KABUI**

ORDER

07.05.2024.

Siddharth Mridul, C.J.:

Mr. M. Rarry, learned Special State Counsel, appears on behalf of the State of Manipur and Mr. Irom Denning, learned counsel, appears on behalf of the respondent.

The present review petition has been instituted on behalf of the State of Manipur under Chapter-IX of the High Court of Manipur Rules-2019 read with Section 114 of Code of Civil Procedure and Order XLVII (47) CPC, 1908 seeking review of the Judgment and Order dated 17th December, 2019 passed in WP(C) No. 640 of 2015 rendered by a Division Bench of this Court.

Having heard Mr. M. Rarry, learned Special State Counsel, appearing on behalf of the State of Manipur, it is axiomatic that he seeks review of the impugned judgment and order on the ground that it has been rendered under the misconception of law.

We have been taken through the judgment and order under review and have examined the same at length.

The coordinate Bench having considered the factual averments made on behalf of the original petitioner; which were not seriously disputed by the State of Manipur; arrived at the finding that the admitted death of the former's husband, in judicial custody, entitled the family to receive compensation therefor.

Needless to state that the judgment and order under review has considered at length the legal and factual submissions canvassed on behalf of the contesting parties before arriving at the finding aforementioned.

It is trite to state that, an application for review is maintainable not only on the discovery of a new and important piece of evidence, but also when there exists an error apparent on the face of the record and/or if the same is necessitated on account of some mistake or for any other sufficient reason.

The expression “any other sufficient reason” has been judicially interpreted to mean a reason sufficient on grounds analogous to those specified in the rule.

In our view, the arguments vehemently addressed on behalf of the State of Manipur are indicative of their contention that the judgment and order under review is erroneous in law. No error of fact apparent on the face of the record or any mistake, has been urged or brought to our notice, save and except the submission that the order under review suffers from a misconception of law.

Furthermore, it would be pertinent that the State should observe that the judgment and order under review is the final order rendered by the coordinate Bench of this Court.

In our considered view, an erroneous judgment is not amenable to review by the coordinate Bench; *a fortiori*, owing to the legal position that the latter cannot act as an appellate Court as well as the reason that the power of review is not an inherent power.

In view of the foregoing discussion, we find ourselves unable to entertain the present application for review and accordingly, dismissed the same without any order as to cost.

Review petition is disposed of accordingly.

JUDGE

CHIEF JUSTICE

Sushil