

Sl. No.2

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

Review.Pet. No. 1 of 2020

Ref:- WP(C) No. 898 of 2018

Chingangbam Ibomcha Singh

Petitioner

Vs.

Kharibam Hitler Singh and 13 others

Respondents

BEFORE

HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR

ORDER

11.09.2025

[1] This review petition has been filed by the petitioner under the relevant provision of the Code of Civil Procedure seeking for reviewing the orders rendered by the learned Single Judge on the writ side in WP(C) No. 898 of 2018 dated 20.12.2019 raising various grounds.

[2] Mr. Juno Rahaman, learned counsel for the petitioner has appeared through video conferencing and whereby the said counsel is seeking some short accommodation on the premises that he wants to secure some instructions from the petitioner. However, the petition is of the year 2020 and whereby in this review petition, the petitioner is seeking for reviewing the orders rendered by the learned Single Judge on the writ side in WP(C) No. 809 of 2018 dated 20.12.2019.

[3] Whereas, the learned senior counsel Mr. Sapam Biswajit Meitei for the respondent No. 1 in this matter is present and submitting that this review petition has been initiated by the petitioner for reviewing the orders

rendered by the learned Single Judge on the writ side which is stated supra and that the petitioner had already been retired from service on 31st January, 2020. This submission which is made by the aforesaid senior counsel for the respondent No. 1 is taken on record. Whereas, Ms. Thanyomi Keishing, learned counsel for the respondents No. 2, 3 and 4 is also present before the court physically.

[4] However, keeping in view the submissions made by the learned counsel for the petitioner as well as the submissions made by the learned senior counsel for the respondent No. 1 in this matter are concerned, it is deemed appropriate to refer the judgment rendered by the Hon'ble Supreme Court of India in the case of ***Sanjay Kumar Agarwal and Ors. Vs. State Tax Officer (1) and Ors.*** reported in **(2024)2SCC 362** decided on 31st October, 2023 whereby in para 9 of the said judgment, the Hon'ble Supreme Court of India observed that *"In the words of Krishna Iyer J., (as His Lordship then was) "a plea of review, unless the first judicial view is manifestly distorted, is like asking for the Moon. A forensic defeat cannot be avenged by an invitation to have a second look, hopeful of discovery of flaws and reversal of result..... A review in the Counsel's mentation cannot repair the verdict once given. So, the law laid down must rest in peace."*

[5] Whereas in para 11 in the aforesaid judgment, the Hon'ble Supreme Court of India referred the judgment of ***Parsion Devi and Ors. v. Sumitri Devi and Ors.*** reported in **(1997) 8 SCC 715** wherein the Hon'ble Supreme Court of India made very pivotal observations:

9. Under Order 47 Rule 1 Code of Civil Procedure a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review Under Order 47 Rule 1 Code of Civil Procedure. In exercise of the jurisdiction Under Order 47 Rule 1 Code of Civil Procedure it is not permissible for an erroneous decision to be "reheard and corrected". A review petition, it must be remembered has a limited purpose and cannot be allowed to be "an appeal in disguise."

[6] However, keeping in view the submission made by the aforesaid senior counsel for the respondent No. 1 in this matter that the petitioner has already been attained superannuation i.e. on 31st January, 2020, there is no substance to review the petition and more so, keeping in view the aforesaid judgment rendered by the Hon'ble Supreme Court of India which is stated supra, it is deemed appropriate to state that the review petition does survive for consideration.

[7] Consequently, this review petition is hereby dismissed.

CHIEF JUSTICE

Sushil