

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

Review. Pet. No. 4 of 2024

Ref:- WP(C) No. 1047 of 2018 and others

The Union Public Service Commission

Petitioner

Vs.

Ronaldo Moirangthem & 8 others

Respondents

BEFORE

HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR

ORDER

02.09.2025

[1] This review petition has been filed by the petitioner/Union Public Service Commission seeking for reviewing the orders rendered by the learned Single Judge on the writ side in WP(C) No. 1047 of 2018 and others dated 05.09.2019.

[2] Learned counsel Mr. L. Brajakumar for the petitioner is on record but represented by the counsel Mr. Amarjit Naorem. Whereas, in this matter Mr. Sapam Biswajit Meitei for the respondents No. 2, 6 and 7 is present before the court physically. Similarly, the learned counsel Mrs. Momota Devi Oinam for the respondent No. 9 is on record but represented by Mr. Lucky boy Thangjam.

[3] Whereas, in this review petition, the petitioner is seeking for intervention of the orders in the aforesaid writ petition dated 05.09.2019 for reviewing the same and therefore, it is deemed appropriate to refer the

reliance of 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."*

[4] Whereas in para 11 in the aforesaid judgment, the Hon'ble Supreme Court of India referred the reliance in the case 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."

[4] Whereas in para 15 in the aforesaid judgment, the Hon'ble Supreme Court of India made an observation that "It is very pertinent to note that recently the Constitution Bench in ***Beghar Foundation v. Justice K.S. Puttaswamy (Retired) and Ors. reported in (2021) 3 SCC 1***, held that even the change in law or subsequent decision/judgment of co-ordinate Bench or larger Bench by itself cannot be regarded as a ground for review.

[5] Whereas in para 16 of the aforesaid judgment, the Hon'ble Supreme Court of India made an observation as under :

"16. The gist of the afore-stated decisions is that:

(i) A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.

(ii) A judgment pronounced by the Court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.

(iii) 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 record justifying the court to exercise its power of review.

(iv) 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."

(v) A Review Petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

(vi) Under the guise of review, the Petitioner cannot be permitted to reagitate and reargue the questions which have already been addressed and decided.

(vii) An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.

(viii) Even the change in law or subsequent decision/ judgment of a co-ordinate or larger Bench by itself cannot be regarded as a ground for review."

[6] Therefore, keeping in view the aforesaid judgment rendered by the Hon'ble Supreme Court of India, it is deemed appropriate to state that the review petition is not having any substance for reviewing the order as sought for as even Order 47 Rule 1 of the Code of Civil Procedure.

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

CHIEF JUSTICE

Sushil