

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

MC(REVIEW PET.) No. 22 of 2024

Chongtham Shantibala Devi

... Applicant

- Versus -

High Court of Manipur represented by its
Registrar General & 3 Ors.

... Respondents

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. K. SOMASHEKAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

O R D E R
[K. Somashekar, CJ]

15.07.2025

[1] Learned counsel for the petitioner, Mr. S. Lokhendro is present before this Court physically. Similarly, learned senior counsel for the High Court of Manipur, Mr. Kh. Tarunkumar and learned Deputy Government Advocate for the State, Mr. W. Niranjit are also present before this Court physically.

[2] This miscellaneous application proceeding has been filed under Section 5 of the Limitation Act seeking for condonation of 265 days in preferring an appeal. This miscellaneous review petition has been filed under the aforesaid provision seeking for condonation of 265 days to file an appeal in Appeal No. 2175 of 2024 to challenge the order on various grounds.

[3] Whereas, the MC(REVIEW PET.) No. 22 of 2024 has been filed by the applicant and in the proceeding also seeking for condonation of delay of 265 days in filing the appeal No. 2175 of 2024.

[4] The learned senior counsel for the High Court of Manipur, Mr. Kh. Tarunkumar submits that the miscellaneous review petition initiated by the applicant has not been assailing the justifiable the reasons for seeking condonation of delay. However, the learned counsel for the applicant is submitting that it is only seeking for condonation of delay for facilitating medical grounds, on this premises seeking to allow the application.

[5] Whereas, keeping in view of the Order 47 Rule 1 of CPC is 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 & Ors. Vs. State Tax Officer & Anr.*** dated 31.10.2023. In this matter, para No. 9 made an observation as thus –

"9. 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."

In the same judgment, para No. 11 reveals thus -

11. In Parsion Devi and Others vs. Sumitri Devi and Others⁴, this Court made very pivotal observations: - "9. Under Order 47 Rule 1 CPC 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 CPC. In exercise of the jurisdiction under Order 47 Rule 1 CPC 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] Therefore, keeping in view of the ratios rendered by the Hon'ble Supreme Court of India, it is deemed appropriate that the ground which has sought in this present application does not avail any substances to seek intervention. Consequently, the present application is hereby dismissed.

[7] However, in the review petition making an application under Section 5 of Limitation Act seeking for condonation of delay of 265 days on medical grounds.

[8] However, the learned senior counsel, Mr. Kh. Tarunkumar and also the learned Deputy Government Advocate, Mr. W. Niranjit submit that the applicant/petitioner in this matter is attaining superannuation and even though the condonation of delay application which has been filed by the applicant in this matter, be considered, no purpose will be served.

[9] Consequently, this application is hereby dismissed.

JUDGE

CHIEF JUSTICE

Bipin