

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**CMP(M) No. 1437 of 2026 in
Review Petition No. 94 of 2026
Decided on : 08.09.2026**

Sharma Meenakshi Satishkumar	Versus	 petitioner
State of H.P. and another		...respondents.

Coram

Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.

Hon'ble Mr. Justice Bipin Chander Negi, Judge.

Whether approved for reporting?¹

For the petitioner : Mr. Sanjay Kumar Sharma, Advocate.

For the respondents : Mr. Pranay Pratap Singh, Additional
Advocate General.

G.S. Sandhawalia, Chief Justice (Oral)

CMP(M) No. 1437 of 2026

An application for condonation of five days' delay in filing the review petition against the order dated 15th July, 2026 passed in LPA No.400 of 2026 titled Sharma Meenakshi Satishkumar vs. State of H.P. and another has been preferred. Keeping in view the averments made therein and the nominal delay, we allow the application and condone the delay in filing the Review Petition.

The application stands disposed of accordingly.

Review Petition No. 94 of 2026

Review has been sought of the order passed in LPA No. 400 of 2026, titled *Sharma Meenakshi Satishkumar v. State of H.P. and another*, decided on 15.07.2026, which has been dictated in the open Court and is crystal clear regarding the case pleaded in the writ petition and the principle

¹ *Whether the reporters of the local papers may be allowed to see the Judgment? Yes*

of law. An attempt has been made to re-argue the case through a counsel who was not associated with the earlier round of litigation.

2. In ***Tamil Nadu Electricity Board and another v. N. Raju Reddiar and another, (1997) 9 SCC 736***, it has been held by the Apex Court that filing of the petition, especially when the earlier counsel was not associated, is not permissible. The relevant portion reads as under:-

"1 It is a sad spectacle that new practice unbecoming of worthy and conducive to the profession is cropping up. Mr. Mariaputham, Advocate-on-Record had filed vakalatnama for the petitioner-respondent when the special leave petition was filed. After the matter was disposed of, Mr. V. Balachandran, Advocate had filed a petition for review. That was also dismissed by this Court on April 24, 1996. Yet another advocate, Mr. S.U.K. Sagar, has now been engaged to file the present application styled as "application for clarification", on the specious plea that the order is not clear and unambiguous. When an appeal/special leave petition is dismissed, except in rare cases where error of law or fact is apparent on the record, no review can be filed; that too by the advocate on record who neither appeared nor was party in the main case. It is salutary to not that court spends valuable time in deciding a case. Review petition is not, and should not be, an attempt for hearing the matter again on merits. Unfortunately, it has become, in recent time, a practice to file such review petitions as a routine; that too, with change of counsel, without obtaining consent of the advocate on record at earlier stage. This is not conducive to healthy practice of the Bar which has the responsibility to maintain the salutary practice of profession. In Review Petition No.2670/96 in CA No.1867/92, a Bench of three Judges to which one of us, K. Ramaswamy, J., was a member, has held as under:-

"The record of the appeal indicates that Shri Sudarsh Menon was heard and decided on merits. The Review Petition has been filed by Shri Prabir Chowdhury who was neither an arguing counsel when the appeal was heard nor was he present at the time of arguments. It is unknown on what basis he has written the grounds in the Review Petition as if it is a rehearing of an appeal against our order. He did not confine to the scope of review. It would be not in the interest of the profession to permit such practice. That part, he has not obtained "No Objection Certificate" from the Advocate-on-Record in the appeal, in spite of the fact that Registry had informed him of the requirement for doing so. Filing of the "No Objection Certificate" would be the basis for him to come on record. Otherwise, the Advocate-on-Record is answerable to the Court. The failure to obtain the "No Objection Certificate" from the erstwhile counsel has disentitled him to file the Review Petition. Even otherwise, the Review Petition has no merits, It is an attempt to reargue the matter on merits. On these grounds, we dismiss the Review Petition".

2. Once the petition for review is dismissed, no application for clarification should be filed, much less with the change of the advocate-on-record. This practice of changing the advocates and filing repeated petitions should be deprecated with heavy had for purity of administration of law and salutary and healthy practice.

3. An attempt to argue the eligibility, as such, on the ground that it should be considered on the strength of the Post Graduation Marks (Master Degree) is sought to be made, which was specifically not the pleaded case before the learned Single Judge. If our memory does not fail us, the said point of fact was also raised by the earlier counsel and it was brought to the notice of the Court that there was neither any relief claimed nor any pleadings in this regard. Counsel appearing for the review petitioner fairly conceded to the said factual position. Resultantly, this Court can be of no assistance to the applicant and the order stands.

4. Resultantly, the Review Petition is dismissed, so also the pending miscellaneous applications, if any.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

08th September, 2026
(Tarun Singh)