

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.82 of 2016

In
First Appeal No. 39 of 1976

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Ram Chandra Prasad Singh @ Ram Chandra Singh & Ors			Petitioner/s
Versus			
Nawal Kishore Prasad Singh & Ors			Respondent/s

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with
Civil Review No.83 of 2016
IN
First Appeal No. 771 of 1976

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Ram Chandra Prasad Singh @ Ram Chandra Singh & Ors			Petitioner/s
Versus			
Nawal Kishore Prasad Singh & Ors			Respondent/s

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Appearance :
(In C. REV. No.82 of 2016)
For the Petitioner/s : Mr. Ram Sumiran Singh
For the Respondent/s : Mr.
(In C. REV. No.83 of 2016)
For the Petitioner/s : Mr. Ram Sumiran Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

5 03-05-2016 Heard the learned counsel, Mr. Ram Sumiran Singh for the petitioners who is also petitioner No.3 and heard also the learned counsel for the opposite parties in this review application.

This review application has been filed by the plaintiff-petitioners for review of the judgment passed by this Court on 05.01.2016.

At the time of hearing of this review application in

admission matter, the learned counsel, Mr. Ram Sumiran Singh, petitioner No.3 elaborately argued the case in detail on merit as mentioned in paragraph 7, 8 and 9 of this review application.

In view of the statement of the learned counsel for the petitioner and the statements made in review application as mentioned above, it appears that the argument is advanced on merit.

The Hon'ble Supreme Court in **AIR 2013 Supreme Court 3301(Kamlesh Verma v. Mayawati)** has held that the jurisdiction and scope of review is not that of an appeal and it can be entertained only if there is an error apparent on the face of the record. An error which is not self-evident and has to be deducted 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. A review is by no means an appeal in disguise whereby an erroneous decision is reheard and corrected but lies only for patent error. Error contemplated under the rule must be such which is apparent on the face of the record and not an error which has to be fished out and searched. It must be an error of inadvertence. The power of review can be exercised for correcting of a mistake but not to substitute a view.

Therefore, in view of the settled principles of law, this

Court while exercising the review jurisdiction cannot be sit over the judgment earlier passed by this Court and substitute another view. Therefore, I find no merit in this review application.

Thus, this review application is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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