

**RA-CWP-146-2017 in
CWP-20139-2012**

**JAGTAR SINGH
VS.
STATE OF PUNJAB & ORS.**

Present: Ms. Harpreet Kaur, Advocate for
Ms. Loveleen Dhaliwal, Advocate
for the applicant-petitioner.

The instant review application has been filed under Section 114 read with Order 47 Rule 1 and Section 151 of the CPC for review of the final order dated 01.02.2017 (Annexure A-1) passed by this Court in CWP No. 20139 of 2012.

Without going into the merits of the case, this review application is dismissed as not maintainable on account of the fact that the arguing counsel for the petitioner in the writ petition was one Mr. Naresh Kaushik, Advocate whereas the instant review application has been filed by Ms. Loveleen Dhaliwal, Advocate. It is well settled that a review application at the behest of a counsel, who was not party in the proceedings, is not maintainable. Reference may be made to a judgment rendered in ***Tamil Nadu Electricity Board and another vs. N. Raju Reddiar and another, AIR 1997 SC 1005*** wherein it has been held as under:

“...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 note 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 responsibility to maintain the salutary practice of profession.”

Therefore, by placing reliance upon the judgment referred to above, the instant review application is dismissed.

**(JAISHREE THAKUR)
JUDGE**

March 23, 2017
Ansari