

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVIEW APPLICATION NO. 18 OF 2018

Aldila Braganza ... Petitioner / applicant

V/s.

Antonetto J. D'Souza and ... Respondents.
others.

The applicant in person.

Shri J.E. Coelho Pereira, Senior Advocate with Shri S. Karpe,
Advocate for the respondents.

CORAM: NUTAN D. SARDESSAI, J.

RESERVED ON : 9th August, 2018.

PRONOUNCED ON : 29th August, 2018.

ORDER :-

1. The applicant seeks the indulgence of this Court by her application under Section 114 r/w Order XLVII CPC for a review of this Court's Order dated 27/03/2018.

2. The applicant placed her written synopsis on record and which on its plain reading would indicate that the intention of the applicant is to reopen the entire case which was earlier decided by this Court vide its order dated 27/03/2018. It was the contention of the applicant in person apart from her written

synopsis that a fraud was played on the Court and therefore it was a fit case for a review of the order.

3. Shri J.E. Coelho Pereira, learned Senior Advocate submitted that the present application was a review of a review order which was not permissible and in that context placed reliance in **M. Satyanarayana Murthy and others v/s. Mandal Revenue Officer-cum-Land Acquisition Officer** [AIR 1999 SC 40]. He next contended that the Court's precious time cannot be used up for the frivolous litigation and therefore the present application had to be dismissed with exemplary costs.

4. In **M. Satyanarayana Murthy** (supra), the Hon'ble Apex Court held that recourse to successive review petitions against the same order is not permissible more so because no error apparent on the record has been brought out. It appears to us that the petitioners are unnecessarily taking liberties. The filing of the second review petition is an abuse of the process of the Court and in that view dismissed the review petition with costs.

5. Without being derailed any further and dilating on the

grounds urged by the applicant in the review application and also in her written submissions it is obvious that the applicant is seeking a review of an order passed in review by this Court though it was earlier styled by her as an application for the recall of the order dated 04/05/2009. The applicant has sought to incorporate the history of her case and attempted to reopen the whole issue which was dealt with at length by the Court then and subsequently in the review order dated 27/03/2018. Besides, the applicant has a remedy available to her to challenge the order passed by this Court in review which she has apparently not availed off and instead sought to impinge on the Court's time unduly by filing a review of a review order. Moreover i am guided by the principles laid down in **M. Satyanarayana Murthy** (supra) and in view thereof there is no reason to go into the details of the application for a review of the review order and hence the application is dismissed.

NUTAN D. SARDESSAI J.

mv