

**RA-RS-44-C of 2018 in  
RSA No.3063 of 2014**

**Naveen Kumar**

**vs.**

**TATA AIG General Insurance Co. Ltd and another**

Present:- Mr. Prtiam Saini, Advocate  
for the applicant-appellant.

\* \* \*

This Court vide orders dated 15.3.2018 had dismissed the regular second appeal of the then appellant now applicant-Naveen Kumar. By this application, applicant has sought to reopen the same by having recourse to Order 47 Rule 1 read with Section 114 CPC seeking review of this order.

Heard, learned counsel for the applicant and perused the records.

In the orders in question after hearing both the sides, it was categorical held that applicant has earlier filed complaint before the District Consumer Forum which did not meet with any success and, thereafter, filed an appeal before the State Consumer Disputes Redressal Commission and that too stood dismissed. It is thereafter jurisdiction of the Civil Court was invoked and vide judgment dated 7.3.2010 the suit of the plaintiff-applicant too stood dismissed and similarly his appeal by the learned District Judge, Chandigarh stood dismissed through judgment dated 14.01.2014.

Appreciating the submissions, the applicant had initially invoked the jurisdiction of the appropriate authorities under the Consumer Protection Act, 1986 and after failing to get any relief had taken recourse to Civil law where too his endeavour remained fruitless. It is well settled law

that review jurisdiction by the Court is of very limited scope. Learned counsel for the applicant could not show how there has been due observance of bonafide diligence in pursuing his matter which has been repeatedly gone against him. Besides this fact, the applicant having chosen a recourse to particular remedy and, thereafter, has sought another forum certainly to the mind of the Court his cause is barred by principle of doctrine of *Election*. There is nothing substantial to review order in question and rather is a last ditch effort of the applicant to have recourse to law having repeatedly being unsuccessful. There is no merit in the application, the same as such stands dismissed with costs of Rs.5000/- which shall go to the High Court Legal Service Committee.

May 4<sup>th</sup> , 2018  
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(FATEH DEEP SINGH)  
JUDGE