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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 2505/2018**

SANJEEV GUPTAPetitioner

Through: Petitioner in person.

versus

RITU GUPTARespondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **16.12.2024**

CRL.M.A. 37525/2024

1. The present application has been filed by the petitioner seeking recall of orders dated 28.10.2024 and 28.11.2024 passed in the above captioned petition.
2. This Court had dismissed the present petition *vide* judgment dated 14.08.2024.
3. Thereafter, the petitioner had preferred review petition bearing no. 404/2024 against the judgment dated 14.08.2024.
4. On 28.10.2024, none had appeared for the petitioner. This Court had dismissed the petitioner's review petition by noting that no ground was made out for reviewing the judgment dated 14.08.2024. By the said order, this Court had also dismissed the application seeking transfer of the matter to another Court by noting that the same was not maintainable.
5. Thereafter, the petitioner preferred a successive review petition bearing no. 441/2024 against the judgment dated 14.08.2024 raising identical grounds.
6. The review petition No. 441/2024 was listed on



28.11.2024 and none appeared for the petitioner again. After review petition was dismissed noting that again none had appeared for the petitioner and filing of such frivolous petitions is nothing but an abuse of the process of Court. A cost of ₹50,000/- was also imposed on the petitioner.

7. Yet again, the petitioner has filed another frivolous application seeking recall of the orders dated 28.10.2024 and 28.11.2024.

8. It is stated that the successive review petition was filed by the petitioner as he had received no intimation of the listing of review petition bearing no. 404/2024.

9. This Court finds no merit in the said argument.

10. Identical grounds were taken by the petitioner in both the review petitions. No such ground of not being intimated about the listing date was taken by the petitioner in the second review petition.

11. Even otherwise, a successive review petition is not the appropriate remedy for the said grievance.

12. The petitioner cannot be allowed to file incessant applications and seek successive reviews of the final judgment till he receives a favourable order.

13. While this Court has the discretionary power of reviewing its own judgment in the interest of securing substantial justice, however, the said power cannot be abused at the whims of an unsuccessful litigant.

14. Similarly, such incessant frivolous applications unduly weigh the board of the Court and waste time that can be better spent on other cases. If the same is allowed, it would be open to a litigant to keep filing applications seeking review and recall of orders in perpetuity. The same would be an abuse of the process



of law and open the floodgate of litigation.

15. Considering the above, the application is dismissed with a cost of ₹1,00,000/-, to be deposited with the Delhi High Court Legal Services Committee, within a period of two weeks.

16. It appears that the petitioner has been able to get such pleadings listed by undertaking that the same has been done at his own risk and cost.

17. In view of the same, the Registry of this Court is directed not to entertain similar miscellaneous applications filed by the petitioner in future.

AMIT MAHAJAN, J

DECEMBER 16, 2024

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