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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO. 160 OF 2025
IN
INTERIM APPLICATION NO.9076 OF 2025**

Asharani Jilajeet	... Petitioner
V/s.	
Mamta Anil Singh and ors	... Respondents

Mr. Akash Giri i/b Mr. Vikash Giri, for the petitioner -
org. respondent no.1.

Mr. Hamid Mulla, AGP for State.

Mr Ashutosh Kaushik, a/w Ms. Namrata Parmar and
Ms.Laxmi Mishra i/b M/s. Kaushik & Co. for
respondents.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 3, 2025

P.C.:

1. The present review application is nothing but a clear misuse of the process of law. The judicial process cannot be permitted to be used repeatedly to agitate the same cause, when the matter has already been conclusively dealt with. Repeated filing of such applications amounts to abuse of court's jurisdiction.

2. This Court, by order dated 26th February 2024, had already issued Rule and granted interim relief. The order dated 26th February 2024 is a reasoned and self-speaking order. The reasoning recorded therein shows that the Court had considered

the submissions of both parties and applied the settled principles of law before granting interim relief. Once such an order is passed after due consideration, the same cannot be lightly unsettled at the instance of the same party.

3. Thereafter, the petitioner had filed Interim Application No.9076 of 2025 seeking review of the said order. This Court, by its order dated 1st August 2025, specifically rejected that application by recording a finding that there is no error apparent on the face of the record. The Court had thus applied the test, namely whether there was an error apparent on the face of the record, and found none. That order attained finality.

4. Despite this, the applicant has now filed the present review petition by urging that there exists a conceptual distinction between an application for recall and an application for review. On that basis, it is contended that this Court must recall its earlier order rejecting the review application. However, this submission is wholly misconceived. The settled law is that once a review application has been decided on merits, the remedy of the aggrieved party lies elsewhere in law, and not by filing a second review or by disguising the same as an application for recall.

5. In my considered view, the order passed by this Court on 26th February 2024 had the effect of issuing Rule and granting interim relief. The subsequent order dated 1st August 2025 categorically rejected the review application by applying the principles governing review jurisdiction. Once such adjudication is made, the Court becomes functus officio qua the same issue.

Entertaining a second review petition on the same grounds, under the guise of seeking recall, would run contrary to the principle of finality of judicial decisions. Permitting such repeated attempts would erode judicial discipline and encourage abuse of the process of law.

6. For these reasons, I hold that the present application, being a second review application in disguise, is not maintainable and is a clear abuse of process. Accordingly, the review petition stands dismissed.

(AMIT BORKAR, J.)