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**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.**

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**RA-CW-395-2025 IN
CWP-23328-2017.
Date of Decision: 12.09.2025.**

SHYAM BABU

... Review applicant-petitioner(s)

Versus

**DIRECTOR GENERAL, CENTRAL RESERVE POLICE FORCE
AND OTHERS**

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

PRESENT: Mr. Jatinder Nagpal, Advocate,
for the review-applicant/petitioner.

Mr. Ashutosh Bhardwaj, Advocate, for
Mr. Parvesh K. Saini, Senior Panel Counsel,
for the respondents/UOI.

VINOD S. BHARDWAJ, J. (ORAL)

The present application has been filed for seeking review of the
order dated 25.02.2025 passed by this Court.

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2 On 25.02.2025, the following order had been passed: -

“The petitioner has approached this Court for directing the respondents to release the compensation allowance(s) under the CCS Pension Rules, 1972.

Learned counsel appearing on behalf of the respondent(s)-UOI contends that the respondents have sent numerous letters to the petitioner to fill-up the requisite application and furnish documents so as to facilitate validation of pension documents and that in the event of the petitioner furnishing the same, the necessary benefits shall be released to him within a further period of three months.

Since the respondents are not raising any dispute with respect to the entitlement of the petitioner to the compensation allowance(s) and the dispute is solely with respect to the petitioner not submitting the requisite applications/documents, I would deem it appropriate to dispose of the present petition with the following directions:

(i) That the petitioner shall appear in the office of DIG, Group Centre, Prayagraj (Uttar Pradesh) by 24.03.2025 and shall furnish the requisite documents as are necessary for processing the case of the petitioner for grant of pension/compensation allowance(s); and

(ii) On submission of complete documentation by the petitioner, the respondents shall process the same and grant the admissible benefits to the petitioner within a period of 03 months thereafter. Needless to mention that in case the needful is not done within the aforesaid time-

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frame, the petitioner shall be entitled to grant of interest @ 6% per annum on the said amount from the date of filing of the present writ petition.”

3 Aggrieved of the above order, the petitioner preferred LPA No.1743 of 2025 before the Division Bench. A submission was seemingly made before the Division Bench to the effect that the challenge to the order of “compulsory retirement” has not been considered. The LPA was thus withdrawn to file the present review application.

4 Learned counsel for the review applicant has reiterated his argument that his challenge to the punishment order of compulsory retirement has not been considered and the matter has been decided without considering merits of his case.

5 I have heard the learned counsel appearing for the review applicant at length.

6 The present application is yet another attempt in the new-found trend of seeking to file review application by engaging new counsel, who, in his anxiety to prove that he is better than the counsel engaged earlier starts resorting to raising arguments oblivious of the proceedings that took place in the case when the judgment/order was passed.

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7 As a matter of fact, the counsel gave up the challenge to the impugned orders and the same flows from the meaningful reading of the order passed earlier by the Bench on 09.12.2024 which reads thus: -

“Learned counsel submits that though the petitioner was compulsory retired from service, however, was held entitled to full compensation pension under the provisions contained in Para 40(1) of CCS (Pension) Rules, 1972.

Learned counsel for the respondents prays for time to obtain instructions and get the amount released in case there is no other impediment.

Adjourned to 25.02.2025.”

8 The final order is in continuation of the proceedings that had earlier occurred on 09.12.2024 and prayer was restricted to full compensation under para 40 (1) of the Central Civil Services (Pension) Rules, 1972. The contention of the review applicant that he never claimed the above relief, in the review, is contrary to the above order dated 09.12.2024.

9 It was in continuance thereof that information was received by the counsel for the respondent on 25.02.2025 and the instructions by the counsel for Union of India were recorded.

10 The new counsel, who was neither aware of the earlier orders and has also conveniently chosen not to advert to the same, has filed the present application in an unfounded zeal to appease. Had the challenge to the punishment not been given up, there was no reason to seek full compensation

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pension under Rule 40 (1) of the Rules of 1972. The claim for seeking pension is to be examined only if there is a retirement/cessation of the relationship between the employer and the employee.

11 In the present case the review application has been filed by a counsel who was neither the filing counsel nor the arguing counsel nor was present at the time of passing of the order dated 25.02.2025 or at the time when the order dated 09.12.2024 was passed and that too without consent of the earlier counsel.

12 The Hon'ble Supreme Court has repeatedly deprecated the conduct of the parties filing review petitions after changing their counsel. In the matter of **T.N. Electricity Board and another Vs. N. Raju Reddiar and another [(1997) 9 SCC 736]**, the Hon'ble Supreme Court has held as under:-

“It is a sad spectacle that new practice unbecoming of worthy and conducive to the profession is cropping up. Mr. Mariaputham, Advocate-on-Record had filed vakalatnama for the petitioner-respondent when the special leave petition was filed. After the matter was disposed of, Mr. V. Balachandran, Advocate had filed a petition for review. That was also dismissed by this Court on April 24, 1996. Yet another advocate, Mr. S.U.K. Sagar, has now been engaged to file the present application styled as "application for clarification", on the specious plea that the order is not clear and unambiguous. When an appeal/special leave petition is dismissed, except in rare cases where error of law or fact is apparent on the record, no

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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 not 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 the responsibility to maintain the salutary practice of profession. In Review Petition No.2670/96 in CA No.1867/92, a Bench of three Judges to which one of us, K. Ramaswamy,J., was a member, has held as under:

“The record of the appeal indicates that Shri Sudarsh Menon was heard and decided on merits. The Review Petition has been filed by Shri Prabir Chowdhury who was neither an arguing counsel when the appeal was heard nor was he present at the time of arguments. It is unknown on what basis he has written the grounds in the Review Petition as if it is a rehearing of an appeal against our order. He did not confine to the scope of review. It would be not in the interest of the profession to permit such practice. That part, he has not obtained "No Objection Certificate" from the Advocate-on-Record in the appeal, in spite of the fact that Registry had informed him of the requirement for doing so. Filing of the "No Objection Certificate" would be the basis for him to come on record. Otherwise, the Advocate-on-Record is answerable to the Court. The failure to obtain the "No Objection Certificate" from the erstwhile counsel has disentitled him to file the Review Petition. Even otherwise, the Review Petition has

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*no merits. It is an attempt to reargue the matter on merits.
On these grounds, we dismiss the Review Petition.”*

Once the petition for review is dismissed, no application for clarification should be filed, much less with the change of the advocate-on-record. This practice of changing the advocates and filing repeated petitions should be deprecated with heavy had for purity of administration of law and salutary and healthy practice.”

13 Under the pretext of the review, the petitioner seeks rehearing of the matter on merits after the same has already been decided. The same is not permissible.

14 In view of the above, I do not find any merit in the present review application and the same is dismissed with a cost of Rs.20,000/- to be deposited with the Punjab Chief Minister Relief Fund, Account No.001934001000589, IFSC: TPSC00000019, Punjab State Cooperative Bank.

September 12, 2025.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No