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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-4840-CWP-2026 and
RA-CW-160-2026 in
CWP-35093-2025
Date of Decision: 06.04.2026

M/S B M PHARMA

....Applicant(s)

Versus

COMMISSIONER, FOOD AND DRUGS ADMINISTRATION
PUNJAB AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Arjun Pratap Atma Ram,
Advocate, for the applicant.

JASGURPREET SINGH PURI, J. (Oral)

1. The present review application has been filed seeking review of the judgment dated 10.12.2025 passed by this Court.
2. The grounds which have been taken in the present application and the submissions made by learned counsel for the applicant particularly with regard to drawing a distinction between 6 and 7 days, which is the primary ground on the basis of which the present review application has been filed have already been dealt with in paragraphs No.10, 12 and 13 of the judgment, wherein it was held that 7 days time was sufficient. There is no statutory period of 7 days enforceable under the law and therefore, such



a difference between 6 and 7 days would not make any difference on the merits of the case.

3. The scope of review is very limited. The Review Court does not sit in appeal over its own order. Rehearing of a matter is impermissible in law and review is not an appeal in disguise. The power of review can be exercised for correction of a mistake but not to substitute a view. This Court is of the considered view that there is no error apparent on the face of the record. With regard to the scope of review, reference can be made to the judgment of Hon'ble Supreme Court in ***S. Murali Sundaram vs. Jothibai Kannan, (2003) 13 SCC 515***. The relevant portion of the aforesaid judgment is reproduced as under:-

“16. While considering the aforesaid issue two decisions of this Court on Order 47 Rule 1 read with Section 114 CP are required to be referred to? In Perry Kansagra this Court has observed that while exercising the review jurisdiction in an application under Order 47 Rule 1 read with Section 114 CPC, the Review Court does not sit in appeal over its own order. It is observed that a rehearing of the matter is impermissible in law. It is further observed that review is not appeal in disguise. It is observed that power of review can be exercised for correction of a mistake but not to substitute a view. Such powers can be exercised within the limits of the statute dealing with the exercise of power. It is further observed that it is wholly unjustified and exhibits a tendency to rewrite a judgment by which the controversy has been finally decided.

17. After considering a catena of decisions on exercise of review powers and principles relating to exercise of review jurisdiction under Order 47 Rule 1 CPC this Court had



summed up as under: (Perry Kansagra case, SCC pp. 768-69, para 15.1)

"15.1. '33...."... (i) Review proceedings are not by way of appeal and have to be strictly confined to the scope and ambit of Order 47 Rule 1 CPC.

(ii) Power of review may be exercised when some mistake or error apparent on the fact of record is found. But error on the face of record must be such an error which must strike one on mere looking at the record and would not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.

(iii) Power of review may not be exercised on the ground that the decision was erroneous on merits.

(iv) Power of review can also be exercised for any sufficient reason which is wide enough to include a misconception of fact or law by a court or even an advocate.

(v) An application for review may be necessitated by way of invoking the doctrine actus curiae neminem gravabit.'" (As observed in: Inderchand Jain v. Motilal, (2009) 14 SCC 663, p. 675, para 33)"

It is further observed in the said decision that an error which is required to be detected by a process of reasoning can hardly be said to be an error on the face of the record.

18. In Shanti Conductors (P) Ltd., it is observed and held that scope of review under Order 47 Rule 1 CPC read with Section 114 CPC is limited and under the guise of review, the petitioner cannot be permitted to reagitate and reargue questions which have already been addressed and decided. It is further observed that an error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record



*justifying the court to exercise its power of review under
Order 47 a Rule 1 CPC.”*

3. In view of the above, this Court is of the considered view that
the present review application is devoid of any merit and the same is hereby
dismissed.

06.04.2026

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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