

Bhupesh Janartha Vs Ranveer Singh & Another

Court: High Court Of Himachal Pradesh

Date of Decision: Nov. 6, 2019

Acts Referred: Code Of Civil Procedure, 1908 " Section 114, Order 47 Rule 1

Hon'ble Judges: Chander Bhusan Barowalia, J

Bench: Single Bench

Advocate: Seema K. Guleria, Imran Khan

Final Decision: Dismissed

Judgement

Chander Bhusan Barowalia, J

1. The present review petition, under Order 47, Rule 1, read with Section 114 of the Code of Civil Procedure has been maintained by the petitioner for

review of judgment dated 26.06.2019, passed by this Court in CMPMO No. 412 of 2018.

2. The Hon'ble Supreme Court in Kamlesh Verma vs. Mayawati and others, (2013) 8 SCC 320, has stipulated the grounds when the review will

be maintainable. The relevant extract of the judgment is as under:

20.1. When the review will be maintainable:

(I) Discovery of new and important matter or evidence which, after the exercise of due diligence, was not within knowledge of the petitioner or could

not be produced by him;

(ii) Mistake or error apparent on the face of the record;

(iii) Any other sufficient reason.

3. Similarly, the Hon'ble Supreme Court in Union of India vs. Namit Sharma, (2013) 10 SCC 359 has held that, if a reasoning in the judgment

under review is at variance with the clear and simple language in a statute, the judgment under review suffers from a manifest error of law and if an

error is apparent on the face of the record, only then the Court can reverse or modify its decision.

4. This Court after going through the record finds that there is no error apparent on the face of judgment, which calls for review. So, the review

petition is not maintainable and dismissed as such. No order as to costs.