



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3331]

FRIDAY, THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

IA 2 OF 2025

IN

WRIT PETITION NO: 3125/2025

Between:

1.B.JAGANNADHA RAO,, S/O ATCHYUTHA RAMAIAH, AGED 60 YEARS, WORKING AS DY. DIRECTOR, MINES AND GEOLOGY, VISAKHAPATNAM, R/O. FLAT NO.9, LAKSHMI VALLABHA HEIGHTS, 8TH LANE, SYAMALA NAGAR, GUNTUR - 522006.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, INDUSTRIES AND COMMERCE (MINES AND GEOLOGY) DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.

2.THE DIRECTOR OF MINES AND GEOLOGY, SRI ANJANEYA TOWERS, B BLOCK, 6TH AND 5TH FLOOR, IBRAHIMPATNAM, N.T.R DISTRICT.

...RESPONDENT(S):

may be pleased to: Allow the Review Petition by reviewing the order passed in W.P.No. 3125 of 2025 dated 06-02-2025 ; i) And to grant s

Counsel for the Petitioner:

1.KAVITHA GOTTIPATI

Counsel for the Respondent(S):

1.GP FOR SERVICES II

The Court made the following:

::ORDER::

Heard Smt. Kavitha Gottipati, learned counsel for the petitioner.

2. This application is filed under Order 47, Rules 1 and 2 of CPC to review the order dated 06.02.2025 in W.P.No.3125 of 2025.

3. The writ petition filed by the petitioner was disposed of at the admission stage with the consent of both the learned counsel. The operative portion of the order reads as follows:

“Given the facts and circumstances of the case, the Writ Petition is disposed of at the admission stage with the consent of both the learned counsel, directing the respondent authorities to consider the petitioner’s case for promotion in terms of G.O.Ms.257 General Administration (Ser.C) Department, dated 10.06.1999, as and when DPC is constituted and complete the inquiry in terms of G.O.Ms.No.91 General Administration (Ser.C) Department, dated 12.09.2022. No order as to costs.”

4. The present review application was filed on 01.04.2025 by changing the counsel.

5. Heard Smt. Kavitha Gottipati, learned counsel, appeared for the review petitioner. Learned counsel canvassed the matter on the merits and would contend that the counsel appeared earlier and wrongly consented. Thus, prayed to review the order.

6. It is a settled principle of law that a review cannot be equated with the original hearing of the case. The party is not entitled to seek a review of a judgment or order delivered by the Court merely for a rehearing and a fresh decision of the case. Review of the earlier order cannot be done unless the court is satisfied that a material error, manifest on the face of the order,

undermines its soundness or results in a miscarriage of justice. 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 the record.

7. In **Sow Chandra Kante Vs Sk.Habib¹**, the Hon'ble Apex court considered the scope of review and observed as follows:

"1.... A review of a judgment is a serious step and a reluctant resort to it is proper only where a glaring omission or patent mistake or like grave error has crept in earlier by judicial fallibility. The present stage is not a virgin ground but review of an earlier order which has the normal feature of finality."

8 Given the ratio in the afore-mentioned judgement, this Court is of the considered opinion that the review filed by the petitioner is not maintainable on the following grounds:

- i) The order dated 06.02.2025 does not suffer from an error apparent on the face of the record.
- ii.) The order was passed with the consent of the learned counsel for the petitioner as well as the learned counsel for the respondents.
- iii) A review petition filed after changing the learned counsel is also not maintainable.

9. This Court in **Gorintia Chandra Sekhara Rao v. the State of Andhra Pradesh and others²**, held as follows:

"9. It is very unfortunate that the petitioner appeared before this Court on 23.11'2024 and 09.12.2024 and followed the Court proceedings. The petitioner voluntarily withdrew the writ petition. By changing the Advocate the present affidavit is filed by making

¹ (1975) 1 SCC 674

² 2025 SCC Online AP 1506

allegations against the earlier Advocate. The practice of changing advocates, making remarks against earlier advocates and filing petitions is not only obnoxious but also reprehensible. Such practice should be deprecated.

10 In **T.N. Electricity Board v. N. Raju Reddiar**³, the Hon'ble Apex Court observed as follows;

*2. 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 a heavy hand for purity of administration of law and salutary and healthy practice.** (emphasis is mine)*

11. The Apex Court in **Om Prakash v. Suresh Kumar**⁴, observed as follows:

*15. As aforesaid, in the present case, the counsel who was engaged by the appellant and had appeared for him before the High Court did not, stricto sensu, transgress the authority conferred on him by the appellant. **Notably, the appellant filed review petition before the High Court by engaging another advocate for reasons best known to him. This Court has deprecated the conduct of such petitioners and has opined that such review petitions should not be encouraged and need to be dismissed, as expounded in T.N. Electricity Board v. N. Raju Reddiar FT.N. Electricity Board v. N. Raju Reddiar. (1997) 9 SCC 736.**" (emphasis is mine)"*

10. Given the discussions supra, this Court doesn't find any error apparent on the face of the record to review the order in the aforementioned writ petition. Accordingly, the review petition is dismissed. There shall be no order as to costs.

³ (1997) 9 SCC 736

⁴ (2020) 13 SCC 188 : 2020 SCC Online SC 100

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

Dated 14.11.2025
SNI

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

I.A.No.2 of 2025

IN

WRIT PETITION No.3125 OF 2025

Dated: 14.11.2025

SNI