

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

Rev. Pet. (J2) No. 2 of 2025

Ref:- CRP (CRP Art. 227) No. 24 of 2024

PG Chunhemlung

Petitioner

Vs.

DP Korungthang

Respondents

BEFORE

HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR

ORDER

05.08.2025

Mr. KR Pamei, learned counsel for the petitioner and inclusive of Mr. Kopham, learned counsel for the respondent are present before the Court physically in this matter.

This review petition has been initiated by the petitioner seeking for intervention for reviewing the order dated 24.04.2025 passed in CRP(CRP Art. 227) No. 24 of 2024.

However, the learned counsel for the petitioner in this matter is seeking for consideration of the reasons stated in this review petition but keeping in view the provision of Order 47 Rule 1 of CPC, it is deemed appropriate to refer the judgment rendered by the Hon'ble Supreme Court of India in the case of **Sanjay Kumar Agarwal and Ors. Vs. State Tax Officer (1) and Ors.** reported in **(2024) 2 SCC 362** wherein in para 9 of the judgment it is indicated and observed that "*In the words of Krishna Iyer*

J., (as His Lordship then was) "a plea of review, unless the first judicial view is manifestly distorted, is like asking for the Moon. A forensic defeat cannot be avenged by an invitation to have a second look, hopeful of discovery of flaws and reversal of result..... A review in the Counsel's mentation cannot repair the verdict once given. So, the law laid down must rest in peace."

In para 11 of the same judgment it is observed that "**In Parsion Devi and Ors. v. Sumitri Devi and Ors.** MANU/SC/1360/1997 : **(1997) 8 SCC 715**, this Court made very pivotal observations:

9. Under Order 47 Rule 1 Code of Civil Procedure a judgment may be open to review inter alia if there is a mistake or an error apparent on the face of the record. 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 justifying the court to exercise its power of review Under Order 47 Rule 1 Code of Civil Procedure. In exercise of the jurisdiction Under Order 47 Rule 1 Code of Civil Procedure it is not permissible for an erroneous decision to be "reheard and corrected". A review petition, it must be remembered has a limited purpose and cannot be allowed to be "an appeal in disguise."

In the meanwhile of referring the Order 47 Rule 1 of CPC and the scope of the said provision as addressed in the aforesaid judgment which has been rendered by the Hon'ble Supreme Court of India, the counsel for the petitioner is seeking some short accommodation.

Therefore, learned counsel for the petitioner and inclusive of the learned counsel for the respondent be directed to clarify the position of law which is referred supra.

List the matter on 19.08.2025.

Sushil

CHIEF JUSTICE