
(2016) 03 SHI CK 0155
In the High Court Of Himachal Pradesh
Case No : Review Petition No. 20 of 2016

Onkar Singh

APPELLANT

Vs

Executive Engineer, HPSEB Ltd.

RESPONDENT

Date of Decision : 14-03-2016

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Order 47 Rule 1, 114

Citation : (2016) ILRHP 227

Hon'ble Judges : Mansoor Ahmad Mir, CJ. and Dharam Chand Chaudhary, J.

Bench : Division Bench

Advocate : Mr. Anupam Angrannii Mehta, Advocate, for the Petitioner; Mr. Vivek Sharma, Advocate, for the Respondent No. 1

Final Decision : Dismissed

Judgement

Mansoor Ahmad Mir, C.J.(Oral)—CMP (M) No. 1705 of 2015

By the medium of this limitation petition, the applicant-petitioner has sought condonation of delay of 245 days, which has crept-in filing the review petition, on the grounds taken in the memo of the limitation petition.

2. We deem it proper to condone the delay for the reasons stated in the limitation petition. Accordingly, delay is condoned. The limitation petition is disposed of.

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3. Review Petition is taken on Board.

4. Issue notice. Mr. Vivek Sharma, Advocate, waives notice on behalf of respondent No. 1.

5. The review petitioner has sought review of judgment and order, dated 12th March, 2015, made by this Court in LPA No. 4050 of 2013, titled as Onkar Singh v. Executive Engineer, HPSEB Ltd. & another.

6. It is apt to record herein that in order to seek review, the review petitioner has to satisfy the mandate of Section 114 of the Code of Civil Procedure (for short "CPC") read with Order 47 CPC, as has been held by this Court in Review Petition No. 56 of 2014, titled as Ranjeet Khanna v. Chiragu Deen and another, decided on 8th August, 2014, and Review Petition No. 65 of 2015, titled as Union of India & others v. Paras Ram, decided on 25th June, 2015.

7. Review can be made only on the ground of error apparent on the face of the record. The error apparent on the face of record must be such which can be unveiled on mere looking at the record, without entering into the long drawn process of reasoning.

8. Learned counsel for the review petitioner stated at the Bar that in the judgment under review, this Court has wrongly held the date of regularisation and the review petitioner was entitled to regularisation from some different date, is a matter of fact, cannot be gone into in a review petition.

9. Having said so, no case for review is made out and the review petition merits to be dismissed. Accordingly, the review petition is dismissed along with all pending applications.