

(2000) 08 RAJ CK 0025

In the Rajasthan High Court

Case No : Civil Miscellaneous Review Petition No. 74 of 1998 in Civil Spl. Appeal No. 586 of 1995

The State of Rajasthan and Others

APPELLANT

Vs

Bhoor Lal and Others

RESPONDENT

Date of Decision : 01-08-2000

Acts Referred:

Citation : (2000) 4 RLW 96 : (2001) 1 WLN 294

Hon'ble Judges : Sunil Kumar Garg, J;B.J. Shethna, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

B.J. Shethna, J.—This review application is filed to review the order dated 4.8.1995 passed by the Division Bench consisting of Mr. J.R. Chopra (as he then was) and Mr. G.L. Gupta, JJ. in D.B. Spl. Appeal No. 586/95 dismissing the special appeal.

2. Learned Counsel Mr. Mathur for the petitioners relying upon the judgment of learned Single Judge (Hon"ble Dr. B.S. Chauhan, J.) dated 22.4.1998 delivered in S.B. Civil Writ Petition No. 1020/95 submitted that the matter is already referred to the larger bench, therefore, the order passed by the Division Bench be reviewed.

3. We are afraid that this submission of Mr. Mathur cannot be accepted for the simple reason that the division bench of this Court dismissed the special appeal way back on 4.8.1995 on merits. Merely, because the learned single judge in another case later on referred the matter to the larger bench on similar issue, that itself would not be a ground to review the order because the scope of review is very narrow and limited. The order can be reviewed only if there is an error apparent on the face of the record or there is a clerical or typographical error, otherwise not.

4. The attempt on the part of Mr. Mathur was that we sit in appeal over the

judgment dated 4.8.1995 passed by the Hon"ble Judges of the division bench of this Court, which is not permissible in review.

5. Going through the impugned order dated 4.8.1995, which is sought to be reviewed, we do not see any reason to review the same because the order is a well reasoned order and while passing the same, the division bench has not committed any error apparent on the face of the record which requires this Court to review the said order.

6. Hence, this review petition is dismissed.