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Review – is it really an asking for the moon?

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Insight on CPC - 01**
Review, never an appeal in disguise

To err is human and its correction is nothing but 'doing justice' to oneself and others. People come to Court to redress their grievances, and the justice delivery system being the healers of human conflicts, shall keep the spirit high that a Court's order shall harm none. Rectification of mistakes or errors in a decision or an order stems from the fundamental principle that 'justice is above all'. Once an error found a place in an order/decision/judgement, an apparent and manifest one on the face of record, it must be corrected. Courts are guided by the doctrine 'ex debito justitiae' and the mandate that none should suffer due to the mistake of Court.

Literally and even judicially, the word 'review' means re-examination, second examination or re-consideration, with a view to eliminate a mistake or for improvement. Universal acceptance of 'human fallibility' is the rationale behind a review. A review is nothing but a judicial re-examination of the case by the same court and by the same judge. If the decision is wrong due to human failing, such failure shall not be permitted to perpetuate and defeat ends of justice. (*Cauvery Water Disputes Tribunal, Re* [1993 KHC 565 : (1993) Supp 1 SCC 96]; *Susheela Naik v. V. G. Naik* [2000 KHC 1513 : (2000) 9 SCC 366]; *Lilly Thomas v. Union of India* [2000 KHC 536 : (2000) 6 SCC 224 at 247]; *S. Nagaraj v. State of Karnataka* [1993 KHC 1130 : (1993) Supp 4 SCC 595 at 619]; *Common Cause, a registered Society v. Union of India* [1999 KHC 730 : (1999) 6 SCC 667 at 752]; *State of Orissa v. Commissioner of Land Records and Settlement* [1998 KHC 1169 : (1998) 7 SCC 162 at 174])

The power of review is not an inherent power, and must be conferred by law either specifically or by necessary implication. Review is a creature of Statute and cannot be entertained in the absence of a provision thereof. (*Kalabharati Advertising v. Hemant Vimalnath Narichania* [2010 KHC 4641 : (2010) 9 SCC 437]; *Asst. Commissioner v. Saurashtra Kutch Stock Exchange Ltd.* [2008 KHC 5282 : (2008) 14 SCC 171]; *Patel Narshi Thakershi v. Pradyumansinghji Arjunsinghji* [1971 KHC 713 : AIR 1970 SC 1273]; *Major Chandrabhan Singh v. Latafat Ullah Khan* [1979 KHC 490 : (1979) 1 SCC 321])

Order 20 Rule 3 CPC is particular that, once a judgement is pronounced or Order is passed, the Court becomes *functus officio*, the judgment or Order is final, and it cannot be changed, varied, altered or modified except under Section 152 or on review. Section 114 and Order 47 CPC provide an exception to the general rule that once a judgement is signed and pronounced in open court, it becomes *functus officio* and has no jurisdiction to alter it. (*Kalinga Mining Corporation v. Union of India* [2013 KHC 4109 : 2013 (2) SCALE 286]; *Inderchand Jain v. Motilal* [2009 KHC 4496 : (2009) 14 SCC 663]; *SNS (Minerals) Ltd. v. Union of India* [2007 KHC 4369 : (2007) 12 SCC 132])

Once the Order is passed, the Court has to follow the rule of the game and cannot unsettle a settled matter on easy lines. Review of judgment is ofcourse a serious step. Reluctant resort to it is generally called for and a grave error, glaring omission or a patent mistake crept in by judicial fallibility alone will permit the Court to review its decision. (*Kewal Chand Mimani v. S. K Sen* [2002 KHC 245 : (2001) 6 SCC 512] at 525; *Meera Bhanja v. Nirmala Kumari Choudhary* [1995 KHC 737 : (1995) 1 SCC 170])

A review can never be equated with the original hearing of the case. Finality of the judgement delivered by a competent Court cannot disturbed so lightly and endorsed to be reopened or reconsidered unless the earlier view is manifestly erroneous. (*Susheela Naik v. G. K. Naik* [2000 KHC 1513 : (2000) 9 SCC 366]; *Delhi Administration v. Gurdip Singh* [2000 KHC 1342 : (2000) 7 SCC 296])

Review powers are seldom exercised on the ground that the decision rendered was erroneous on merits. (*Jayashree Pulverizers v. Jamalbhai Mahamadbhai Lakadawala,* 2021 (226) AIC 537 (Guj.); *Subramanian Swamy v. State of TN* [2014 KHC 2508 : (2014) 5 SCC 75])

A review is by no means an appeal in disguise whereby an erroneous decision be reheard and corrected, but lies only for patent error. (*Thungabhadra Industries Ltd. v. Government of AP* [1964 KHC 570 : AIR 1964 SC 1372])

“Mistake or error apparent on the face of the record” is distinct from an “erroneous decision”. An erroneous decision is not permissible to be “reheard and corrected” in review. If a review application is not maintainable or on proper grounds, it cannot be allowed by describing it as an application for clarification or modification. (*Delhi administration v. Gurdip Singh* [2000 KHC 1342 : (2000) 7 SCC 296 at 309]; *Sone Lal v. State of UP* [1981 KHC 2396 : (1982) 2 SCC 398])

The Court/Tribunal, while exercising its power to review, cannot sit in appeal over its judgement/decision. (*Pooja Collections v. Kamla Jain* [2021 KHC 6931 : 2021 AIR CC 3115 (M.P).])

Who can apply?

A person aggrieved by a decree or order may apply for a review of a judgement. (Section 114 and Order 47 Rule 1 CPC) 'A person aggrieved' means a person who has suffered a legal grievance or against whom a decision has been pronounced which has wrongly deprived him of something or wrongly refused him something or wrongly affected his title to do something. (*S. P. Gupta v. Union of India* [1981 KHC 752 : AIR 1982 SC 149]; *M. M. Thomas v. State of Kerala* [2000 KHC 155 : (2000) 1 SCC 666]; *Rajendra Kumar v. Rambai* [2003 KHC 2003 : AIR 2003 SC 2095]; *Sankar Deb Acharya v. Biswanath Chakraborty* [2006 KHC 1543 : (2007) 1 SCC 309]; *Union of India v. Arun Jyoti Kundu and Others* [2007 KHC 3861 : (2007) 7 SCC 472]) A person, who is neither a party to the proceedings or nor a decree/order binds him, cannot apply for reviewing an order or a decree since it does not adversely or prejudicially affect his rights. (*Mithilesh v.Union of India* [1992 KHC 244 : (1992) 1 SCC 168]; *State of Kerala v. Madhavan Pillai* [1989 KHC 38 : (1988) 4 SCC 669]; *State of Kerala v. Lakshmikkutty* [1987 KHC 293 : (1986) 4 SCC 632]; *Satvir Singh v. Baldeva* [1997 KHC 1614 : (1996) 8 SCC 593]; *Jagadish Chandra Patnaik v. State of Orissa* [1998 KHC 935 : (1998) 4 SCC 456]) But, if a third party is affected or prejudiced by a judgement or an order, he may seek a review of that Order. (*Shivdeo Singh v. State of Punjab* [1963 KHC 694 : AIR 1963 SC 1909])

A review petition filed by an advocate, other than the Advocate on record, without obtaining the 'No objection certificate' from the Advocate on record is bad and not maintainable. (*TN Electricity Board v. N. Raju Reddiar* [1997 KHC 1584 : (1997) 9 SCC 736]; *M. Poornachandran v. State of Tamil Nadu* [1997 KHC 1600 : (1996) 6 SCC 755]; *Ramesh Kumar Sharma v. Gool Poput* [2022 KHC onLine 3064 : 2021 (227) AIC 949 (All.)])

Review petition should be accompanied by the certified copy of the order/decree sought to be reviewed, unless dispensed with by the Court. (1997 AIHC 605 at 607 (Ker.))

Grounds of review

a. Cases where no appeal lies:- Section 114(c) and Order 47 Rule 1(1)(b) CPC stipulate that an order or a decree from which no appeal is allowed, the decision is open for review. Where an appeal was dismissed as time barred, the review was held maintainable. (*Thungabhadra Industries Ltd. v. Government of AP* [1964 KHC 570 : AIR 1964 SC 1372])

b. Cases where appeal lies, but not preferred: - Order 47 Rule 1(1)(a) CPC permits review of a decision against which an appeal is provided by law but so far not preferred. So, the fact that the order is appealable is not a ground to reject a prayer for review. So long as no appeal is preferred against the Order, a review is permissible. But, if an appeal is already moved before seeking a review, Court will refuse such an attempt. (*Raja Indrajit Pratap Bahadur Sahi v. Amar Singh* AIR 1923 PC 128; *Gopabandhu Biswal v. Krishna Chandra Mohanty* [1998 KHC 934 : (1998) 4 SCC 447]) The same rationale is applicable in dismissal of SLP in Supreme Court. But, if the SLP is only filed and not decided on merits, the bar would not apply. (*Abbai Maligai Partnership Firm v. K. Santhakumaran* [1998 KHC 1195 : (1998) 7 SCC 386]; *Yogendra Narayan*

Choudhary v. Union of India [1996 KHC 994 : (1996) 7 SCC 1]; *Kapoor Chand v. Ganesh Dutt* [1993 KHC 825 : (1993) Supp 4 SCC 432]; *Kunhayammad v. State of Kerala* [2000 KHC 636 : (2000) 6 SCC 359 : AIR 2000 SC 2587])

c. Decisions on reference from Small Cause Courts:- Order 47 Rule 1(1) (c) CPC stands for review from the decisions on reference from Small Cause Courts.

Once the competent court passes an order, review should be confined to the 'rules of the game' and cannot be lightly entertained. (*MMB Catholicos v. MP Athanasius* [1954 KHC 111 : AIR 1954 SC 526]; Sow Chandra Kante v. Sheikh Habib [1975 KHC 905 : AIR 1975 SC 1500]; *Meera BHanja v. Nirmala Kumari Choudhary* [1995 KHC 737 : (1995) 1 SCC 170]) Court can correct a mistake, but not substitute it's view taken earlier merely because there is a possibility of taking two views in a matter. (*Madhusudhan Reddy v. Narayana Reddy* [2022 KHC 6822 : 2022 SCC Online SC1034 : (2022) 6 MLJ 357 (SC) : 2022 (5) KLT SN 18 (C.No.21) SC] (3 Judges)) The expression "for any other sufficient reason" need be given an expanded meaning. Where a decree or order is passed under misapprehension of actual and true state of affairs, a review is perfectly maintainable. (*Lily Thomas v. Union of India* [2000 KHC 536 : (2000) 6 SCC 224]; *S. Nagaraj v. State of Karnataka* [1993 KHC 1130 : (1993) Supp 4 SCC 595]) If the conditions are satisfied, Courts should exercise its power of review. (*Kalmalkar v. Union of India* [1999 KHC 1129 : (1999) 4 SCC 756]; *M. C. Mehta v. Union of India* [1999 KHC 964 : (1999) 2 SCC 91])

A party who missed the vital evidence may lose his case. Usually, he will then harp on his weak points and try to cover up them with fresh evidence under the guise of review on discovery of new and important facts. Such a try is beyond the scope of review. Section 114 or Order 47 CPC neither confers the party who lost the game to play a second innings nor authorises the Court to write a second judgement. (*Northern India Caterers (India) Ltd. v. Lt. Governor of Delhi* [1980 KHC 619 : (1980) 2 SCC 167]; *Krishna Aiyar v. Balakrishna Aiyar*, AIR 1951 Mad. 660)

Whether the applicant was vigilant and diligent in adducing relevant evidence at the first round is the crucial question in review. Where the trial lasted for long, the review application was found bad for want of sufficient cause as to why the new evidence was not produced at the relevant time. (*Shivalingappa v. Revappa*, AIR 1915 PC 78)

An error apparent on the face of the record is one which is manifest, self evident and requires no examination or argument to establish it. An error, which strikes on mere looking and need no long drawn process of reasoning, sets a 'reason' for review. (*Thungabhadra Industries Ltd. v. Government of* AP [1964 KHC 570 : AIR 1964 SC 1372]; *Delhi Administration v. Gurdip Singh* [2000 KHC 1342 : (2000) 7 SCC 296]; *Satyanarayan v. Mallikarjun* [1960 KHC 567 : AIR 1960 SC 137]; Ujjam Bai v. State of UP [1962 KHC 621 : AIR 1962 SC 1621]; S.Bhagirathi Ammal v. Palani Roman Catholic Mission [2008 KHC 5186 : (2009) 10 SCC 464 : AIR 2008 SC 719) Whether or not an impugned error is an error of law, apparent on the face of the record, must always depend upon the facts and circumstances of each case and upon the nature and scope of the legal provision which is alleged to have been misconstrued or contravened.

(*Syed Yakoob v. Radhakrishnan* [1964 KHC 457 : AIR 1964 SC 477) An error of law, which is not self evident and has to be detected by a process of reasoning cannot be termed as an error apparent on the face of the record. (*Ajay Gupta v. Darbar Singh* 2022 (232) AIC 297 (P&H); *Ratan Lal Patel v. Hari Singh Gour Vishwavidyalaya* [2022 KHC 6323 : (2022) 6 SCC 540]) In a review application, the Court reversed the earlier judgment and order without discussing the mistake/error apparent on the face of the record, and the order was held invalid. (*Manick Chandra Sasmal v. Rabindra Nath De* [2015 KHC 5635 : (2015) 16 SCC 409])

"Any other sufficient reason" must mean 'a reason sufficient or a ground, at least analogous to those specified immediately previously in that order'. ([1971 KHC 544 : (1971) 2 SCC 200]; *Haridas Das v. Usha Rani Barik* [2006 KHC 514 : (2006) 4 SCC 78]; *Lily Thomas v. Union of India* [2000 KHC 536 : (2000) 6 SCC 224])

Writ jurisdiction and review

The Constitution is silent on the power of review on the High Court in Article 226. At the same time nothing is there in Article 226 which precludes the High Court from exercising the power of review which inheres in every Court of plenary jurisdiction to prevent miscarriage of justice or to correct grave and palpable errors committed by it. (*Shivdeo Singh v. State of Punjab* [1963 KHC 694 : AIR 1963 SC 1909])

While exercising the power of review, High Court may bear in mind that:-

(i) the provisions of Order 47 CPC are not applicable to the High Court's power of review in proceedings under Article 226 of the Constitution.

(ii) the review powers are to be exercised by the High Court only to prevent miscarriage of justice or to correct grave and palpable errors. (The epithet "palpable" means that which can be felt by a simple touch of the order and not which could be dug out after a long-drawn-out process of argumentation and ratiocination)

(iii) The inherent powers, though ex facie plenary, are not to be treated as unlimited or unabridged but they are to be invoked on the grounds analogous to the grounds mentioned in Order 47 Rule 1 CPC. (*Gujarat University v. Sonal Shah* [1982 KHC 1636 : AIR 1982 Guj. 58 at 62]; *A. R. Antulay v. R. S. Nayak* [1988 KHC 970 : (1988) 2 SCC 602 : AIR 1988 SC 1531])

The power of review in writ jurisdiction under Article 226 and 227 of the Constitution could be traced independent of the provisions of the Code of Civil Procedure. A portion of the judgement/order can be reviewed invoking Articles 226 and 227 of the Constitution. But ofcourse, the principles of review will apply. (*Secretary, Ministry of Health and Family Welfare Department and Others v. Aswathy Elsa Mathew* [2008 (2) KHC 414 : 2008 (2) KLT 670]; *Pookunju A v. State of Kerala and Others* [2012 (4) KHC 345 : 2012 (4) KLT 509]; *Cheriya Koya v. UT Admn. Of Lakshadweep* [2023 KHC 423 : 2023 KHC Online 423])If the party has both the right of appeal and review, but filed review only, and succeeded in part, later, he cannot prefer an appeal for the entire decree. He can prefer appeal only from that part of the decree in respect of which review was declined. (*Rekha Mukherjee v. Ashis Kumar Das* [2005 KHC 632 :

2005 (2) KLT SN 31 (SC))

Tribunals and review

Power of administrative tribunals to review their decisions is akin to that of a Civil Court and all statutorily enumerated and judicially recognised limitations on the Civil Court's power to review their decision would also apply to the Tribunal.

a. The power of the Tribunal to review its order/decision under Section 22(3) (f) of the Administrative Tribunals Act, 1985 is akin or analogous to the power of a Civil Court under Section 114 read with Order 47 Rule 1 of the Code.

b. The Tribunal can review its decision on either of the grounds enumerated in Rule 1 Order 47 of the Code and not otherwise.

c. The expression "any other sufficient reason" appearing in Order 47 Rule 1 of the Code has to be interpreted in the light of other specified grounds.

d. An error which is not self-evident and can be discovered through a long process of reasoning cannot be treated as an error apparent on the face of the record justifying exercise of power under Section 22(3)(f) of the Administrative Tribunals Act, 1985.

e. An erroneous order or decision cannot be corrected in the guise of exercise of power of review, and

f. A decision or order cannot be reviewed under Section 22(3)(f) on the basis of subsequent decision or judgment of a coordinate or larger Bench of the tribunal or of a superior Court. (*State of West Bengal v. Kamal Sengupta* [2008 KHC 4905 : JT 2008 (8) SC 317])

Suo motu review

The power to move the court with an application for review is available only to the person aggrieved and the Code does not authorise or empower the Court to suo motu review its own order. There is no enabling provision either in Section 114 or Order 47 of the Code, providing for any suo motu review. (*Jaya Devi v. State of Bihar* [1996 KHC 1067 : (1996) 7 SCC 757]; *Vishwanathan v. Muthuswami Gounder and Others* [1978 KHC 1822 : AIR 1978 Mad 221]) The High Court, being the Court of Record, as envisaged in Article 215 of the Constitution, must have inherent powers to correct the records. The High Court has a duty to itself to keep all its records correctly and in accordance with the law. If any apparent error is noticed by the High Court in respect of any Orders passed by it, the question is not one of power, but about the duty to correct it. The power in that regard is plenary. (*M. M Thomas v. State of Kerala* [2000 KHC 155 : (2000) 1 SCC 666])

Second review

Only one review is permissible under the statute and 'second review' is uncalled for. A decision in an application for review is in effect an 'issue decided' by the court. An order passed on application for review application is not open for further review. (*M. Satyanarayana Murthy v. Mandal Revenue* [1999 KHC 1568 : (1998) 7 SCC 445]; *Chhidda Singh v. Dy. Director of Consolidation* [1998 KHC 860 : (1998) 3 SCC 441]; *Delhi Administration v. Gurdip Singh* [2000 KHC 1342 : (2000) 7 SCC 296]) Recourse to successive review applications against the same order is an abuse of the process of law and impermissible.

(*Madhusudhan Reddy v. Narayana Reddy* [2022 KHC 6822 : 2022 KHC OnLine 6822 : 2022 SCC Online SC 1034 : (2022) 6 MLJ 357 (SC) : 2022 (5) KLT SN 18 (C.No.21) SC] (3Judges))

Practice in review

Order 47 Rule 4(1), (2), (5) and (8) CPC provide the procedure to hear a review application. Article 124 of Limitation Act stipulates 30 days from the date of order/decree to go for its review.

Order 47 Rule 1(1) CPC provides for an application for filing a review "from a decree or order from which an appeal is allowed but from which no appeal has been preferred". In a case where, on the date when the application for review was filed, the appellant had not filed an appeal to the Supreme Court and therefore the terms of Order 47 Rule 1(1) CPC did not stand in the way of petition for the review being entertained. The counsel for the respondent did not contest this position. Nor could one read the judgement of the High Court to be rejecting the petition for review on that ground. The crucial date for determining whether or not the terms of Rule 1(1), Order 47 of the Code are satisfied is the date when the application for review is filed. If on that date no appeal has been filed, it is competent for the Court hearing the petition for review to dispose of the application on the merits notwithstanding the pendency of the appeal, subject only to this, that if before the application for review is finally decided, the appeal itself has been disposed of, the jurisdiction of the Court hearing the review petition would come to an end. In the case in hand, on the date when the application for review was filed, the applicant had not filed an appeal to the Supreme Court and there was no bar to the petition for review being entertained. (*Kunhayammad v. State of Kerala* [2000 KHC 636 : (2000) 6 SCC 359 : AIR 2000 SC 2587])

Practice of filing review application after approaching the Superior Court in appeal is deprecated. Two parallel proceedings before two forums cannot be taken for the same relief. (*Meghmala v. G. Narasimha Reddy* [2010 KHC 4577 : (2010) 8 SCC 383]; *Gopabandhu Biswal v. Krishna Chandra* [1998 KHC 934 : (1998) 4 SCC 447]; *Gurpreet Singh Bhullar v. Union of India* [2006 KHC 477 : (2006) 3 SCC 758]) Filing of review petition after dismissal of SLP against the self same Order amounts to an abuse of the process of the Court and the entertainment of such review application is in affront to its order of dismissal of SLP and is subversive of judicial discipline. (*Abbai Maligai Partnership Firm v. K. Santhakumaran* [1998 KHC 1195 : (1998) 7 SCC 386]; *K. Rajamouli v. AVKN Swamy* [2001 KHC 1097 : (2001) 5 SCC 37]) Though the form is immaterial and substance alone triumphs, Order 47 Rule 3 CPC stipulates that an application for review shall be in the form of a Memorandum of Appeal. (*Raja Shatrunjit v. Mohd. Azmat Azim Khan* [1971 KHC 544 : AIR 1971 SC 1474])

An application for review is not an appeal or a revision to a superior court but a request to the same Court to recall or reconsider its decision on the limited grounds prescribed for review. The reason for requiring the same Judges to hear the application for review is that the Judges who decided the matter would have heard it at length, applied their mind and would know best, the facts and legal position in the context of which the decision was rendered. They will be able to

appreciate the point in issue, when the grounds for review are raised. If the matter should go before another Bench, the Judges constituting that Bench will be looking at the matter for the first time and will have to familiarise themselves about the entire case to know whether the grounds for review exist. Further, when it goes before some other Bench, there is always a chance that the members of the new Bench may be influenced by their own perspectives, which need not necessarily be that of the Bench which decided the case. There is every likelihood of some tendency on the part of a different Bench to look at the matter slightly differently from the manner in which the authors of the judgment looked at it. Therefore in the interests of justice, consistency in judicial pronouncements and maintaining good judicial traditions, an effort should always be made for review application to be heard by the same Judges, if they are in the same Court. (*Maltesh Gudda Pooja v. State of Karnataka* [2011 KHC 4918 : (2011) 15 SCC 330])

Admission of a review application only means that the Court is tentatively satisfied about the merits of the application, but still after hearing of both parties, the Court may reaffirm its earlier order/decision/judgement and reject the review application. It is only when the review application is allowed, then alone it can be said that the decision under review is put to jeopardy. (*Most Rev. P. M. A Motropolitan v. Moran Mar Marthoma* [1995 KHC 449 : (1995) Supp 4 SCC 286 : AIR 1995 SC 2001]; Sakal Singh v. Devi [1979 KHC 1150 : AIR 1979 All. 274] (FB)) The moment an order granting an application for review is passed, the original decree or order sought to be reviewed will get vacated. There comes a reversal which gives rise to a claim for restitution. (*Lakshmi Amma Bhargavi Amma v. Narayanan Sankara Panicker* [1961 KHC 386 : ILR 1961 (1) Ker. 385]; *Sushil Kumar Sen v. State of Bihar* [1975 KHC 536 : (1975) 1 SCC 774 : AIR 1975 SC 1185])

Order 43 Rule 1(w) and Order 47 Rule 7 CPC together would convey that an Order granting an application for review is appealable, but an order rejecting such an application is not appealable. (*Devaraju Pillai v. Sellayya Pillai* [1987 KHC 1168 : (1987) 1 SCC 61 : AIR 1987 SC 1160])

Section 104(2) Prohibits a second appeal from an order passed in an appeal from an order granting review. An application for review is a ‘proceeding’ and a decision thereon would amount to a ‘case decided’ and thus amenable for revision. (*Vidyavati v. Devidas* [1977 KHC 441 : (1977) 1 SCC 293 at 296 : AIR 1977 SC 397 at 400])

While exercising review jurisdiction, subsequent events may be taken into consideration by the Court. (*BCCI v. Netaji Cricket Club* [2005 KHC 883 : AIR 2005 SC 592]) Review sought even in a second appeal stage is maintainable, subject to the availability of a ground within the meaning of Order 47 Rule 1 CPC. (*Pandit Dhana Mali v. Bhimabai* [2005 KHC 7908 : (2007) 15 SCC 434])

Where the review is allowed, the applicant would be entitled to refund of Court fee paid on such review application. (*Joy Verghese v. State of Kerala* [2005 KHC 6 : AIR 2005 Ker. 49])

Thus, the sum and substance of Section 114 and Order 47 CPC is an assertion of the righteous finality of a decision rendered by a competent Court. Review

cannot be claimed as of right or asked for merely for fresh hearing or arguments or correction of an erroneous view taken earlier. The earlier decision so rendered will not be reconsidered except for a glaring omission or patent mistake or like grave error crept in by judicial fallibility. In the absence of an apparent error, even a totally erroneous judgement/order cannot be a ground for review and its finality cannot be disturbed. (*Subramanian Swamy v. State of T.N* [2014 KHC 2508 : (2014) 5 SCC 75])

A plea for review, unless the first judicial view is manifestly distorted, is like asking for the moon. (*J. Krishna Iyer in Northern India Caterers (India) Pvt. Ltd. v. Lt. Governor of Delhi* [1978 KHC 605 : (1978) 4 SCC 36 : AIR 1978 SC 1591])

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