SHANTILAL MANGANLAL AND ANR. A

v.

CHUNNILAL RANCHODDAS THROUGH LRS. AND ORS.

24th July, 1984

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[O. CHINNAPPA REDDY AND D.P. MADON, JJ.]

Petition for Special Leave and Petition for Review—If the petition filed without giving the grounds of appeal they will be dismissed as frivolous and an abuse of the process of law—Order XVI and XL of Supreme Court Rules 1966—Duty of advocate to court in filing petitions. C

An application for review against the order of dismissal of the Special Leave Petition dated 9.12.83 was filled without disclosing any ground for review. It was averred that the petition was being filed so as to be within the limitation prescribed under Order XL of the Supreme Court Rules and that further grounds would be filed if advised. However, D nothing was done though more than six months had elapsed by the date of hearing.

Dismissing the petition, expressing its deep dissatisfaction and anguish with the indiscriminate manner in which petitions for Special Leave and petitions for Review were being filed in the Supreme Court, [206A] E

HELD : The application for review was nothing short of an abuse of the process of the court, a waste of the time of the Court and was entirely frivolous.

CIVIL APPELLATE JURISDICTION : Review Petition No. 249 of F 1984.

In

Special Leave Petition (C) No. 13618 of 1983

G

CHAMBER MATTER—By Circulation

The Order of the Court was delivered by

CHINNAPPA REDDY, J. This application for Review is nothing H

A short of an abuse of the process of the Court and a waste of the time of this Court, time which has now become so dear and precious because of the daily mounting arrears. No ground for seeking a review is mentioned or even hinted at in the petition. In the first paragraph of the petition it is stated "This is an application for Review of the order dated 9.12. 83, whereby this Hon'ble Court was pleased to B dismiss the above Special Leave to Appeal (Civil). The said order discloses an error apparent on the face of the record as will be clear from perusal of the various grounds and facts mentioned in the petition for Special Leave to Appeal. It is submitted that since the order is unsustainable in view of the facts and circumstances of the case, this Hon'ble Court may be pleased to review the order". C In the second paragraph we are told that no detailed grounds have been taken (though in point of fact not a single ground is even mentioned) as limitation is about to expire and "If so advised, further set of grounds would be submitted for the consideration of the Hon'ble Court" The petition was filed on 9 1.1984 and nothing has been done though more than six months have passed since then. D The offer to file detailed grounds remains an unredeemed promise. Possibly he was advised to file no further grounds as there was none to be submitted. Good words were not to be thrown away after bad. To that extent, we may consider ourselves spared. We must however express our deep dissatisfaction and anguish with the indiscriminate manner in which petitions for special leave and E petitions for review are being filed. The present application is entirely frivolous and is accordingly dismissed.

S.R. *Petition dismissed.*