

1966

*Present : Sansoni, C.J.*

H. A. M. CASSIM, Petitioner, *and* GOVERNMENT AGENT,  
BATTICALOA, Respondent

*S. C. 323/66—Application in Revision in M. C. Batticaloa, 6171*

*Revision—Requirement that application should be made promptly.*

An application in revision must be made promptly if it is to be entertained by the Supreme Court. There must be finality in litigation, even if incorrect orders have to go unreversed.

**A**PPPLICATION to revise an order made by the Magistrate's Court, Batticaloa.

*P. Nagendran*,—for the Petitioner.

*L. B. T. Premaratne*, Senior Crown Counsel, for the Respondent.

October 23, 1966. SANSONI, C.J.—

This is an application in revision filed on 29th July, 1966 to revise the order made by the Magistrate on the 20th April, 1964. Applications of this nature must be made promptly if they are to be entertained by this Court. It must fail for that reason alone.

The reason why the application has been made at all is set out in the petition. It is because on the 21st October, 1965 the Privy Council delivered a judgment which showed that the correctness of the Magistrate's order of 20th April, 1964 could be attacked. But there must be finality in litigation, even if incorrect orders have to go unreversed.

Counsel for the petitioner says that money is still being paid and recovered under the order of 20th April, 1964. That, of course, is the necessary consequence of the order. So long as the order stands, and it cannot be possibly set aside merely because it was subsequently discovered to be erroneous, payments which are due under it must continue to be made. For these reasons the application is dismissed.

*Application dismissed.*

