

Review Application No.336 of 2015 in -1-
CWP No.13810 of 2015

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Review Application No.336 of 2015 in
CWP No.13810 of 2015

Date of decision: 24.08.2015

Paramjit Singh

...Applicant

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Arun Gosain, Advocate for the applicant-petitioner.

Mr. Manish Singla, Advocate for the respondents.

Jitendra Chauhan, J.

The application under Section 226 read with Section 151 of the Code of Civil Procedure has been filed for review of the order dated 7.8.2015 by the applicant.

This Court has carefully gone through the order passed by this Court. It is well reasoned and speaking order. There is no ground to review the order dated 7.8.2015 whereby on the statement of the State counsel, the CWP was rendered infructuous as the main case i.e. Election Petition No.47 of 2015 had already been decided.

In *Kamlesh Verma Vs. Mayawati and others, 2013(5)*

RAJ 63, it is held as under:

- “(i) A repetition of old and overruled argument is not enough to reopen concluded adjudication.
- (ii) Minor mistakes of inconsequential import.
- (iii) Review proceedings cannot be equated with the original hearing of the case.
- (iv) Review is not maintainable unless the material error, manifest on the face of the order, undermines its soundness or results in miscarriage of justice.
- (v) A review is by no means an appeal in disguise whereby an erroneous decision is reheard and corrected but lies only for patent error.
- (vi) The mere possibility of two views on the subject cannot be a ground for review.
- (vii) The error apparent on the face of the record should not be an error which has to be fished out and searched.
- (viii) The appreciation of evidence on record is fully within the domain of the appellate court, it cannot be permitted to be advanced in the review petition.”

There is no error apparent on the face of record. The impugned order was passed in the presence of both the learned counsel for the parties. No case to review the impugned order is made out, therefore, review application is dismissed.

24.08.2015
Meenu

(JITENDRA CHAUHAN)
JUDGE