

CM No.11161-C of 2016 in/and  
RA-RS-101-C-2016 in RSA No.3437 of 2015

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

CM No.11161-C of 2016 in/and  
RA-RS-101-C-2016 in  
RSA No.3437 of 2015

Date of decision : 01.09.2016

Harnek Singh

...Applicant/Appellant

Versus

Jora Singh and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Vijay Sharma, Advocate  
for the applicant-respondent No.3.

**JITENDRA CHAUHAN, J. (Oral)**

**CM No.11161-C of 2016**

CM is allowed and Annexures A-1 to A-3 are taken on record,  
subject to all just exceptions.

**RA-RS-101-C of 2016**

Prayer in this review application is for reviewing the order dated  
19.05.2016 (Annexure A-1) passed by this Court.

Heard.

In '**Kamlesh Verma Vs. Mayawati and others**', 2015(2) Recent  
Apex Judgments Page 62 (SC), it has been observed that the review will not be  
maintainable in following cases:-

- (i) A repetition of old and overruled argument is not enough to reopen concluded adjudications.
- (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 re-heard 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.
- (ix) Review is not maintainable when the same relief sought at the time of arguing the main matter had been negated.

This Court finds no error or any infirmity in the order, challenged under this review application.

Accordingly, the present review application is dismissed.

**01.09.2016**  
*ashok*

**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking/reasoned:                      Yes / No

Whether reportable:                                Yes / No