

CM Nos.11156-C &11157-C of 2016 in/and
RA-RS-100-C-2016 in RSA No.2155 of 2015

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

CM Nos.11156-C &11157-C of 2016 in/and
RA-RS-100-C-2016 in
RSA No.2155 of 2015

Date of decision : 01.09.2016

Harmeet Kaur and others

...Applicant/Appellants

Versus

Harnek Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vijay Sharma, Advocate
for the applicant-appellant (s).

JITENDRA CHAUHAN, J. (Oral)

CM No.11156-C of 2016

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

CM No.11157-C of 2016

Heard.

No case for condoning the delay of 40 days in filing the present
review application is made out.

Dismissed.

RA-RS-100-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 negatived.

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