

**CM-4011-2018 in/and  
RA-CR-36-CII-2018 in  
FAO-3738-2014**

Sunil  
2018.03.01 14:31  
I attest to the accuracy and  
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**National Insurance Co. Ltd.  
Vs.  
Priyanka and others**

Present: Mr. Sandeep Kumar Yadav, Advocate  
for the applicant-appellant.

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**CM-4011-2018**

For the reasons set out in the application, same is allowed as prayed for and delay of 5 days in filing the review application is condoned.

**RA-CR-36-CII-2018 in  
FAO-3738-2014**

This is an application seeking review of the order dated 15.12.2017 whereby the return of the excess amount received by the claimant under the award passed by the Tribunal has been ordered to be given back to the insurance company.

I have heard counsel for the applicant.

The submission on behalf of counsel for the applicant is that in the appeal filed by the insurance company, this Court had referred to National Insurance Co. Ltd. Vs. Pranay Sethi in SLP (Civil) No.25590 of 2014 and thereby the addition of 40% has been made instead of 50% and it led to decrease of the compensation and it should not have been decreased as that was not the ground taken in the appeal and the order be reviewed and since an excess amount has been paid to them, therefore, the same order as passed in Hem Raj Vs. Oriental Insurance Company delivered by the Apex Court on 22.11.2017 should be ordered.

A review application lies if there is an error apparent on the face of the record or a arithmetical mistake. By filing this application, the applicant is seeking a rehearing. The applicant has a remedy of appeal. This Court cannot entertain a prayer of review of its order much less disturb the order in exercise of review jurisdiction.

The application is dismissed.

**February 27, 2018**  
SUNIL

**(ANITA CHAUDHRY)**  
**JUDGE**