

RA-CR-101 of 2019 (O&M) in
FAO No.10259 of 2014

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RA-CR-101 of 2019 (O&M) in
FAO No.10259 of 2014
Date of decision:05.07.2019

M/s P.D.Steels

... Appellant

Vs.

Union of India and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Lakhinder Bir Singh, Advocate
for the review applicant/respondent No.1.

AMIT RAWAL J. (Oral)

The review application tantamounts to re-agitating of the grounds of appeal which is not permissible in view of the ratio decidendi culled out by the Hon'ble Supreme Court in **Tamilnadu Terminated Full Time Temporary LIC Employees Association vs. S.K.Roy, The Chairman, Life Insurance Corporation of India and another**” 2016 (9) SCC 366. The relevant paragraph of the judgment reads as under:-

"Review is not re-hearing of an original matter. The power of review cannot be confused with appellate power which enables a superior court to correct all errors committed by a subordinate court. A repetition of old and overruled argument is not enough to re-open concluded adjudications. This Court, in Jain Studios Ltd. v. Shin Satellite Public Co. Ltd. (2006) 5 SCC 501, held as under:

11. So far as the grievance of the applicant on merits is

concerned, the Learned Counsel for the opponent is right in submitting that virtually the applicant seeks the same relief which had been sought at the time of arguing the main matter and had been negated. Once such a prayer had been refused, no review petition would lie which would convert rehearing of the original matter. It is settled law that the power of review cannot be confused with appellate power which enables a superior court to correct all errors committed by a subordinate court. It is not rehearing of an original matter. A repetition of old and overruled argument is not enough to reopen concluded adjudications. The power of review can be exercised with extreme care, caution and circumspection and only in exceptional cases."

In view of the aforementioned observation, I do not find any error apparent on the face of record, much less no ground is made out for interference. Accordingly, present review application is dismissed on the ground of delay as well as on merits.

**(AMIT RAWAL)
JUDGE**

July 05, 2019
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Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No