

**RA-CW No.417 of 2017 in  
CWP No.23278 of 2010**

**Jagandeep Singh and another vs. State of Punjab and others**

Present:- Mr. A.D.S Jatana, Advocate  
for the applicant-petitioners.

Mr. S.S. Cheema, AAG, Punjab.

Mr. Surmeet S. Sandhu, Advocate for  
Mr. Gagneshwar Walia, Advocate  
for respondents No.3 and 4.

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The present review application has been filed under Order 47 Rule 1 read with Section 151 CPC for reviewing/recalling of judgment dated 30.11.2016 passed by this Court in CWP No.23278 of 2010, whereby, the writ petition filed by the petitioners has been dismissed.

Admittedly, applicant-petitioner No.2 filed LPA No.239 of 2017 before the Division Bench and by finding no legal infirmity in the impugned order by the Court, the same was dismissed as withdrawn with liberty to file appropriate proceedings before the learned Single Judge.

It has been argued by learned counsel for the applicant-petitioners that there was factual error in the judgment passed by this Court. The present review application has been filed on the basis of information sought under the RTI whereby it was informed that respondents No.3 and 4 did not appear for interview and they came for interview after the counselling. Respondent No.3 appeared for the first time for counselling on 25.03.2010 and respondent No.4 appeared on 30.03.2010. Learned counsel also submits that special opportunity was given to selected candidates i.e. respondents No.3 and 4, due to which, the petitioners were not selected.

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Heard arguments of learned counsel for the applicant-petitioners. I have also perused order dated 30.11.2016.

The main writ petition was dismissed not only on the ground of delay but on merits as well and there is detailed discussion in the judgment. Vide interim order dated 20.08.2009 passed in CWP No.12667 of 2009, brother/representative was allowed to submit documents for verification on behalf of respondent No.4 as he was away to Australia. It cannot be said that some candidates were given special opportunity whereas they appeared under the directions issued by this Court. Moreover, LPA has already been dismissed as withdrawn.

It has been held in various judgments that the review is not re-hearing of the case and the arguments, which have already been raised cannot be considered in the review to reopen the concluded adjudications. The power of review can be exercised in case, there is apparent error in the face of the order. It has also been held that the power of review can be exercised with extreme care, caution and circumspection and only in exceptional cases.

No such ground has been raised by learned counsel for the applicant-petitioners and the review application being devoid of any merit is hereby, dismissed.

**26.09.2019**  
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**(DAYA CHAUDHARY)**  
**JUDGE**