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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 3870/2024**

VATEENA BEGUM

.....Petitioner

Through: **Md. Azam Ansari & Mr. Kamran
Khan, Advs.**

versus

NAZMA MALIK

.....Respondent

Through: **Mr. Shekhar Prit Jha, Adv.**

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

05.12.2024

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**CM APPL. 71272/2024 (FOR REFERENCE OF MATTER TO
CONCERNED BAR COUNCIL)**

Learned counsel for the petitioner seeks permission to withdraw the present application stating that he will take up the matter directly with the Bar Council.

In view of the statement made by learned counsel is taken on record and in view thereof, the application is dismissed as withdrawn.

REVIEW PET. 455/2024 (REVIEW OF ORDER DT. 03.12.2024)

1. Learned counsel submits that certain submissions were made, but the same have not been dealt in the impugned order dated 03.12.2024, which makes out a ground for review as has been held by the various Division Benches of this Court in the following cases:-

- i) **Shrikant Kaushik vs. DDA & Anr. LPA 389/2012;**
- ii) **Ashok Kumar Gupta vs. DMRC and Anr., LPA No. 469/2012;**



iii) **Rattan Lal Arora vs. Delhi Vidhyut Board & Ors., LPA 172/2015.**

2. At the outset, it is to be noted that the law with regard to review is not *res-integra*. Review proceedings cannot be adjudicated as an appeal and have to be strictly confined to the scope and ambit of review. Power of review may be exercised when some mistake or error is found to be apparent on the face of the record and not required to be drawn through process of reasoning.

3. While exercising the review jurisdiction in an application under Order 47 Rule 1 read with Section 114 CPC, rehearing of the matter is impermissible in law and such power can be exercised for correction of a mistake but not to substitute a view.

4. The contentions made before the Court were duly dealt vide impugned order dated 03.12.2024. There is no error apparent on the face of the record. The decisions of the Division Benches relied upon by the petitioner are not applicable to the facts and circumstances of this case.

5. The review petition is accordingly dismissed.

RAVINDER DUDEJA, J.

DECEMBER 5, 2024

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