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

+ RSA 176/2025

SHISHIR CHAND

S/o Prakash Chand

B 191, 2nd Floor,

Chhatarpur Enclave Ph-II,

New Delhi-110074.

.....Appellant

Through: Appellant in person.

versus

TERI UNIVERSITY

Plot No.10,

Institutional Area,

Vasant Kunj,

New Delhi-110070.

.....Respondent

Through: Ms. Anju Bhushan Gupta & Mr.
Sanyam Gupta, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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27.04.2026

REVIEW PET. 197/2026

1. A Review Application under Section 114 read with Order 47 Rule 1 CPC has been filed on behalf of the Petitioner/appellant against the Judgment dated 10.03.2026 whereby the Second Appeal of the Appellant, has been dismissed.
2. The Appellant has submitted that in paragraph 60 of the impugned Judgment it has been observed that the Plaintiff/Appellant having benefitted



by attending One Year Programme and having taken the benefit and accepting the Diploma, cannot now turn around to claim that he is entitled to refund of fee.

3. It is asserted that the Appellant had never accepted the Diploma offered to it by the Respondent, which has also emerged in the cross-examination of DW1. Therefore, such observations are error apparent on the face of the record and are liable to be reviewed.

4. It is further asserted that the Appellant had taken a specific plea for refund of his fee on account of breach of the contents of the Brochure which was published at the time of the admission of the Appellant, in the Diploma course. **Firstly**, despite there being a reference to Summer Semester Programme, the same was not implemented and thereby the Appellant was cheated. **Secondly**, the classes of the course got scuttled as unauthorizedly and without any permission, the film shooting was permitted in the premises of the Institute.

5. Therefore, the Plaintiff/Appellant was entitled to damages for having made to suffer his One Year course with no benefit and because of misrepresentations by the Respondent. It is, therefore, submitted that the Order dated 10.03.2026 dismissing the Second Regular Appeal, be set aside and the Suit of the Plaintiff/Appellant be decreed.

Submissions heard and record perused.

6. The **first ground** on which the Review has been sought is that the Appellant had never accepted the Diploma after One year of the completion of course, as has been observed in paragraph 60 of the Judgment.

7. However, the perusal of the record shows that the consistent stand of the Respondent was that the Diploma had been duly awarded, for which two



emails had also been written by the Respondent to the Appellant. The Appellant may have chosen not to collect the Certificate from the Institute, but the fact remains that on completion of One Year, the same has been acknowledged by the Institute who had issued One Year Diploma Certificate. Mere non-collection of the Certificate physically would not take away the fact that on account of he having successfully complete one year, he has been awarded the Certificate in terms of the Brochure. This ground is, therefore, frivolous and does not merit any review of the impugned Judgment dated 10.03.2026.

8. The **second ground** which has been agitated is that the Plaintiff/Appellant suffered as the classes were scuttled on account of unauthorized film shooting permitted to be carried out in the Respondent Institute. However, this aspect has been extensively dealt with by the learned Civil Judge in its Judgment dated 27.09.2023 and has duly considered in the Regular First Appeal by learned District Judge and after due consideration of the evidence has dismissed the First Appeal on 22.09.2025.

9. The ground which is agitated in regard to scuttling of classes on account of film shooting is nothing but a challenge of facts, which is beyond the scope of Second Regular Appeal. In any case, this aspect has been considered by this Court in the Judgment dated 10.03.2026 and, therefore, it cannot be said that there exists any error on the face of the record.

10. The **third aspect** which has been challenged is in regard to the Summer Semester. Again, as noted above, this aspect has been duly considered by the Civil Judge as well as by the First Appellate Court and also by this Court. In fact, the scope of Second Regular Appeal is not to re-



appreciate the facts, but only to consider the Appeal on the basis of question of law.

11. There is ***no merit in the present Review Application***, wherein the Appellant is only seeking a re-appreciation of the facts, which is beyond the scope of Second Regular Appeal as well as the Review Petition.

12. There is no merit in the Review Petition, which is hereby dismissed.

NEENA BANSAL KRISHNA, J.

APRIL 27, 2026/va