



\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
Judgment Reserved on: 06.07.2026  
% Judgment Delivered on: 17.07.2026

+ W.P.(C) 6073/2022

PANKAJ PRAKASH & ANR.

.....Petitioners

Versus

UNITED INDIA INSURANCE COMPANY LIMITED

& ANR.

.....Respondents

Advocates who appeared in these cases

For the Petitioners : Mr. Ravi Kumar & Mr. Anil Thakur,  
Advocates.

For the Respondents : Mr. Amit Kumar Singh, Mr. Prang  
Newmai & Ms. Rokosieno Meyase,  
Advocates for Respondent No.1.  
Mr. P.S. Singh, CGSC with Ms.  
Shivangi Sharma, Advocates for  
Respondent No.2/Union of India.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**JUDGMENT**

**TEJAS KARIA, J**

**REVIEW PET. 287/2026 & CM APPL. 41015/2026**

1. The present Review Petition has been filed by the Petitioners / Applicants under Section 114 read with Order XLVII of the Code of Civil Procedure, 1908 (“CPC”) for review of the order and judgment dated 04.06.2026 (“Judgment”) passed by this Court in W.P.(C) 6073/2022 (“Writ Petition”).

2. The Petitioners had filed the Writ Petition challenging the Promotion Policy for Officers-2006 (“Impugned Policy”) of United India Insurance



Company Ltd., Respondent No. 1 in view of the notification dated 29.03.2022 for commencement of promotion exercise 2022-23 (“**Promotion Exercise**”) from 12.04.2022 onwards in accordance with the Impugned Policy.

3. *Vide* the Judgment under review, the Writ Petition was dismissed with the finding that the Impugned Policy was neither arbitrary nor discriminatory qua the Petitioners and none of the reliefs sought by the Petitioners could be granted in the Writ Petition.

4. The Petitioners have preferred the present Review Petition on the ground that there are errors apparent on the face of the record that have crept in the Judgment under review as this Court did not appreciate the correct factual background and prayers in the Writ Petition.

**Rejection of Prayer (i):**

5. Learned counsel for the Petitioners submitted that Prayer (i) of the Writ Petition has been rejected based on a non-existent and unverified method of calculation and conversion of Annual Performance Appraisal Reports (“**APAR**”) gradings into numerical marks. It was submitted that no formula or methodology for conversion of alphabetical grades in APARs into numerical marks had been disclosed to the Petitioners as part of the APAR process, despite repeated requests made by the Petitioners to the authorities. It was further submitted that the submissions of Respondent No. 1 were considered in Paragraph No. 13 of the Judgment without any supporting evidence. Learned counsel for the Petitioners also submitted that, while absence of proof was treated as the sole basis for rejecting the prayers of the Petitioners, the Petitioners themselves had not been provided with the



relevant evidence. Accordingly, it was submitted that the Judgment proceeds on a materially incorrect statement and is liable to be recalled and heard afresh.

6. The above submissions of the Petitioners are without any merit. Prayer (i) of the Writ Petition sought a restraint against the Respondents from conducting the Promotion Exercise without informing the Petitioners of the numerical marks obtained in the APAR for the preceding three years, on the allegation that APAR marks were habitually manipulated.

7. Respondent No. 1, in its Counter Affidavit, had categorically stated that the entire contents of the APAR were disclosed to the Petitioners in terms of the circular dated 18.03.2014, which was also admitted in the proceedings before this Court in W.P.(C) 3218/2021. Accordingly, the allegations of the Petitioners regarding non-disclosure of APAR marks were denied.

8. The Petitioners did not file any rejoinder denying the stand taken by Respondent No. 1 in the Counter Affidavit. Therefore, the submission made on behalf of the Petitioners in the present Review Petition that no such statement was ever made in the Counter Affidavit and that this Court relied upon a Short Note unsupported by an affidavit, seems to be factually incorrect.

9. Accordingly, there is no error in the observation recorded in Paragraph No. 13 of the Judgment that the Petitioners were already in possession of the APAR marks.



### **Rejection of Prayer (ii)**

10. Learned counsel for the Petitioners submitted that Prayer (ii) of the Writ Petition sought quashing of Rule 14.1 of the Impugned Policy, under which the Interview Committee had knowledge of the marks obtained by each competing officer in all material parameters, along with the power to alter APAR marks for the preceding three years, adjust interview marks *vis-à-vis* total marks, and amend total interview marks in the guise of regional imbalance, notwithstanding that Respondent No. 1 is a pan-India Public Sector Undertaking. It was further submitted that Prayer (ii) has been rejected on reasoning which is *ex facie* erroneous, as Rule 14.1 of the Impugned Policy itself allegedly permits manipulation or moderation of the total marks of a candidate, and the said Rule has not been duly recorded or considered in the Judgment, thereby resulting in a serious error.

11. Learned counsel for the Petitioners submitted that this Court did not consider the true scope of Rule 14.1 of the Impugned Policy and erroneously confined the issue to the mere knowledge of marks by the Interview Committee. It was also submitted that Prayer (ii) was declined for want of demonstrable evidence of manipulation of marks, although such evidence could not be placed on record because Respondent No. 1 refused to furnish the relevant material despite the application filed by the Petitioners under the Right to Information Act, 2005.

12. The aforesaid submissions, now sought to be urged by the Petitioners in the present Review Petition, particularly those concerning the alleged arbitrariness of the Impugned Policy, have already been considered in the Judgment. The annexures relied upon by the Petitioners were duly examined while passing the Judgment, and this Court arrived at the conclusion that the



pleadings and documents relied upon by the Petitioners did not substantiate their case. The Petitioners are, in effect, attempting to re-agitate the same issues which have already been considered, which is impermissible in review proceedings.

13. Paragraph No. 15 of the Judgment under review clearly records that mere knowledge by the Interview Committee of the written test scores, APAR and seniority marks of the candidates cannot, by itself, lead to an inference that the interview results were manipulated. This observation demonstrates that the submissions sought to be raised by the Petitioners in the present Review Petition have already been considered. Admittedly, the Petitioners have not placed on record any material to establish manipulation by the Interview Committee. The submissions made on behalf of the Petitioners are, therefore, speculative in nature and have already been dealt with in the Judgment. Accordingly, no case is made out for review on this ground.

**Rejection of Prayer (iv):**

14. Learned Counsel for the Petitioners submitted that Paragraph No. 20 of the Judgment under review records an incorrect factual analysis of Prayer (iv) of the Writ Petition. The Petitioners submitted that Respondent No. 2, by Office Memorandum (“OM”) dated 18.02.2014, had declared that reservation in promotions is not available in selection grades, namely all scales above Scale III, in Public Sector Banks and Insurance Companies.

15. It was further submitted by learned counsel for the Petitioners that the submission of Respondent No. 1 regarding a 10% relaxation in the qualifying criteria for promotion is incorrect and has been accepted by this



Court despite there being no qualifying criteria for promotion under the Impugned Policy. It was also submitted that nearly 80% of promotions in Respondent No. 1 were made without any written examination, and that no qualifying criteria existed in respect of other components such as seniority, APAR and insurance qualification.

16. The aforesaid submissions made on behalf of the Petitioners have already been considered and decided in Paragraph No. 20 of the Judgment under review. This Court held that Respondent No. 1 is entitled, as a welfare measure, to relax the criteria for promotion, and that the same is neither contrary to law nor inconsistent with Article 335 of the Constitution of India, 1950. The submissions made in the present Review Petition are, therefore, an attempt to re-agitate issues already decided under the guise of review. The Petitioners seek to re-argue the Writ Petition by raising substantial arguments on merits in the guise of seeking review of the Judgment. All arguments advanced by the Petitioners at the time of hearing of the Writ Petition have already been considered while passing the Judgment.

17. It is a settled position that the scope and ambit of the Court's power under Section 114 read with Order XLVII Rule 1 of CPC is very limited and the review petition is maintainable only if there is a discovery of new and important matters or evidence, which after exercise of the due diligence was not within the knowledge of the applicant or there is some mistake or error apparent on the face of the record. It is also settled law that an error apparent on the face of the record must be such an error which may strike one on a mere looking at the record and would not require any long-drawn process of reasoning. Where an alleged error is far from self-evident and has to be detected by a process of reasoning after lengthy and complicated arguments,



it can hardly be said to be an error apparent on the face of the record justifying the Court to exercise its power of review.

18. It is not permissible for an erroneous decision to be 'reheard and corrected'. A review petition has a limited purpose and cannot be allowed to be 'an appeal in disguise'. It is well established that the power of review can be exercised for correction of a mistake but not to substitute a view. The ground of 'any other sufficient reason' provided in Order XLVII Rule 1 of the CPC must be a reason sufficient on the grounds that are at least analogous to those specified in the said Rule. There is no doubt that the Court while exercising the power of review does not sit in appeal over its own order as rehearing of the matter is impermissible in law. Once a judgment is signed and pronounced, it should not be altered, and the exercise of inherent jurisdiction cannot be invoked for reviewing any order beyond the limited scope and ambit prescribed under law for review. Hence, no case has been made out for review of the Judgment on this ground,

**Rejection of Prayer (v):**

19. It was submitted by learned counsel for the Petitioners that the rejection of Prayer (v), as reflected in Paragraph No. 18 of the Judgment, was based on an erroneous understanding of Rule 14A(f) of the Impugned Policy, which provides for transfer of a merit vacancy to the non-merit channel unless two candidates qualify per vacancy. It was submitted that Prayer (v) sought quashing of Rule 14A(f) of the Impugned Policy, which provides for transfer of the vacancy of a qualified employee under the merit channel to a non-qualified and non-merit channel employee on the ground that at least two candidates must qualify for each vacancy. It was further submitted that failed, absent and non-examinee candidates in the merit



examination cannot be equated with qualified rank holders in a competitive departmental examination. According to the Petitioners, Prayer (v) did not challenge alteration of vacancies but challenged the transfer of vacancies from the merit channel to the non-merit channel, and this constitutes an error apparent on the face of the record. The Petitioners sought quashing of the Rule to the extent it allegedly permits promotion of candidates who have not qualified the written examination and interview, while disregarding candidates who have qualified both stages against available merit vacancies. It was submitted that candidates qualifying on merit must be considered under the merit channel, whereas candidates with the highest seniority must be considered under the seniority channel.

20. The challenge to Rule 14A(f) of the Impugned Policy was also considered in the Judgment. The Petitioners' contention that Rule 14A(f) of the Impugned Policy was arbitrary was not accepted in Paragraph No. 18 of the Judgment. The Rule was found to be intended to ensure that promotions are not granted solely based on seniority to candidates who do not meet the required standards, but are also based on merit and competency, while balancing the interests of senior candidates with the operational requirements of Respondent No. 1.

21. Hence, no ground is made out to review the findings recorded in the Judgment with respect to Prayer (v) of the Writ Petition.

**Rejection of Prayer (vi):**

22. Learned counsel for the Petitioners submitted that Prayer (vi) of the Writ Petition sought quashing of the notification providing paid leave for training to Other Backward Class (“OBC”) candidates for promotion. It was further submitted that the Supreme Court, in *Indra Sawhney v. Union of*



*India*, 1992 Supp (3) SCC 217, has held that reservation in promotion is not permissible for OBC candidates and that, despite the said position of law, this Court has proceeded on the basis that OBC candidates may be extended reservation benefits in promotions.

23. The reliance placed by the Petitioners on the decision in *Indra Sawhney* (supra) is misplaced in the facts and circumstances of the present case, as the Recruitment Policy merely provides for pre-promotion training of OBC candidates. Such pre-promotion training does not amount to reservation in promotion, which was held to be impermissible in *Indra Sawhney* (supra).

24. Hence, no case is made out for review of the reasons recorded in Paragraph No. 21 of the Judgment for declining Prayer (vi) of the Writ Petition.

**No allegation of discrimination:**

25. Lastly, learned counsel for the Petitioners submitted that the Petitioners had not pleaded discrimination in the Writ Petition, and that the Judgment, having dealt with allegations of discrimination, is therefore erroneous on the face of the record. It was also submitted that the Petitioners had challenged only the Impugned Policy and had not alleged any personal discrimination in promotion.

26. The aforesaid submissions cannot be accepted, as the Petitioners specifically averred in the Writ Petition that Petitioner No. 2 was being denied promotion on account of complaints filed by him against officials of Respondent No. 1. Further, it was repeatedly contended in the Writ Petition that the Impugned Policy had been framed in a manner to promote only pre-decided, corrupt and ineligible officers. In view of such averments, the



Petitioners cannot now contend that they had never alleged discrimination, nor can they seek review of the Judgment on that ground.

27. The averment of the Petitioners that the Judgment proceeds on factual assumptions which do not arise from the pleadings in the Writ Petition, in our opinion, is bald and without substance.

28. Having considered the submissions made by learned counsel for the Petitioners, the Short Note of Arguments filed on their behalf, and the grounds urged in the present Review Petition, we are of the considered view that no factual inaccuracy or error apparent on the face of the record has been established.

29. The Judgment has already examined the material submissions advanced by the Petitioners and concluded that no relief could be granted in the Writ Petition. Accordingly, no ground is made out for review of the Judgment.

30. In view of the above, we find no error in the Judgment under review. The present Review Petition cannot be converted into a rehearing on merits or treated as an appeal in disguise. The scope of review is limited and cannot be invoked to re-argue issues which have already been decided. It is, accordingly, liable to be dismissed as devoid of merit.

31. Resultantly, the Review Petition, along with the pending application, stands dismissed. There shall be no order as to costs.

**TEJAS KARIA, J**

**DEVENDRA KUMAR UPADHYAYA, CJ**

**JULY 17, 2026**  
**‘AK’**