

RAJASTHAN HIGH COURT

Manikyapuri Housing Co-op. Society

Vs.

Mahesh Chaturvedi

Civil Special Appeal (Writ) No. 1001 of 2003
(Shiv Kumar Sharma and Shashi Kant Sharma, JJ.)

15.10.2003

JUDGEMENT

Shiv Kumar Sharma, J.

1. The appellant in the instant appeal seeks to quash the order dated August 26, 2003 of the learned Single Judge, whereby the writ petition submitted under Article 227 of the Constitution of India invoking supervisory jurisdiction of this Court was dismissed.
2. We have heard Mr. R.S. Rathore, learned counsel and scanned the material on record. Three Judge Bench of the Hon'ble Supreme Court in *Sadhna Lodh v. National Insurance Co. Ltd.*, indicated that the supervisory jurisdiction conferred on the High Court under Article 227 of the Constitution is confined only to see whether an inferior Court or tribunal has proceeded within its parameters and not to correct an error apparent on the face of record, much less of an error of law. In exercising the supervisory power under Article 227 of the Constitution, the High Court does not act as an appellate Court or a tribunal.
3. After exercising the powers under Article 227 by the learned single Judge we do not see any further scope of special appeal in the instant matter. The special appeal being devoid of merit stands dismissed summarily.

Appeal dismissed.

Cases Referred.

1. (2003) 3 SCC 524: (AIR 2003 SC 1561)