

UNION OF INDIA AND ORS.

v.

SMT. DARSHNA DEVI

JANUARY 22, 1996

[K. RAMASWAMY AND G.B. PATTANAIK, JJ.]

*Inherent power of Court :*

*Appeals disposed of—Review Petitions thereon dismissed—Application filed for clarification and modification of the order—Since remedy by way of review under the Supreme Court Rules already availed inherent power cannot be invoked again for further clarification or modification—Otherwise it will be an abuse of the process of law without any responsibility.*

CIVIL APPELLATE JURISDICTION : I.A. Nos. in Civil Appeal Nos. 3450-3520 of 1995.

From the Judgment and Order dated 12.12.91 of the Punjab & Haryana High Court in L.P.A. Nos. 428,161-73, 362-65, 412-18, 429/85, 431, 434, 443-444/84, 445/85, 446/84, 16-23, 141/85, 143- 45/85, 147, 148-160/85, 116/84, 146/85, 174-80, 181/85, 141 of 1985.

N.N. Goswami, Ashok K. Srivastava, Mrs. Anil Katiyar, Ms. Sushma Suri, S.M. Sarin and P.N. Puri for the Appellants.

H.N. Salve, N.D. Garg, C.I. Jain, Anil Gupta, Rajiv K. Rarg and A.D.N. Rao for the Respondent.

The following Order of the Court was delivered :

This Court by order dated March 2, 1995 disposed of the appeal in the light of the earlier law laid down this Court. Review petitions in these appeals were filed and the same came to be dismissed on May 10, 1995. Now these applications have been filed after changing the counsel, for clarification and modification of the order.

*I.A. No. in CA No. 3450/95*

When this Court asked the counsel as to under what provisions of law these applications are maintainable, the counsel found himself unable

to bring to our notice any provision under which this application could be entertained. The counsel state that the Court can do it under its inherent power. Inherent power is meant only to correct orders when other remedy is not available. Since the remedy by way of review under the rules of this Court has been provided for and has been availed of, the inherent power cannot be invoked again for further clarification or modification. It would be an obvious abuse of the process of law without any responsibility.

The I.A. is accordingly dismissed.

*I.A. Nos. in CA Nos . 3451-3520/95*

If the decree is not drawn in accordance with the directions of this Court, then remedy would be open to the petitioners to have that decree corrected according to law. I.A.S. are accordingly disposed of.

I.A.S. disposed of.