



2026:DHC:8369-DB



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

Date of Decision: 25th September, 2026

CNR No. DLHC010228012026

+ **W.P.(C) 6952/2026**

CPL SACHIN KUMAR SOLANKI (RETD)

.....Appellant

Through:

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. P.S. Singh, CGSC with Ms. Shivangi Sharma, Ms. Annu Singh, Ms. Natasha Goel, Advs. with Mr. Anil Vashisth, Law Officer.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

J U D G M E N T (O R A L)

AMIT MAHAJAN, J.

REVIEW PET. 457/2026 & CM APPL. 66707/2026

1. The present Review Petition has been preferred under Section 114 read with Order XLVII Rule 1 of the Code of Civil Procedure, 1908 (hereinafter "**CPC**") seeking review of the judgment dated 09.05.2026 passed by this Court in W.P.(C) 6952/2026, whereby the writ petition preferred by the Petitioner (assailing the order passed by the learned Armed Forces Tribunal affirming the Order of his removal from services) was dismissed.



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2. Succinctly stated, the Petitioner, enrolled with the Indian Air Force since 2010, on 22.01.2017, while in uniform, publicly aired grievances concerning service conditions and alleged disparity between officers and airmen. Thus, the Court of Inquiry was assembled and eventually, the disciplinary proceedings culminated in the Order dated 02.12.2017 passed by the competent authority whereby he was awarded punishment of *removal from service*. Aggrieved, the Petitioner, by way of O.A. No. 331/2018, approached the learned Armed Forces Tribunal which declined to interfere with the said administrative action *vide* order dated 17.10.2025. Consequently, the above captioned writ petition was preferred.

3. Before this Court, the challenge to the order of the learned Tribunal, as recorded in the judgment under review, principally centred around the alleged violation of principles of natural justice/procedure followed by Court of Inquiry, the circumstances and mental state of the Petitioner at the time of the incident, the description of the Petitioner by the learned Tribunal as a “*Technical Officer*”, and the proportionality of the punishment imposed upon him.

4. *Vide* the judgment under review, this Court, while keeping in mind the limited scope of judicial review under Article 226 and 227 of the Constitution of India, noting that the factum of recording/dissemination of the video i.e. the basis of initiation of proceedings remained undisputed and considering all the contentions raised by the



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Petitioner, upheld the Order dated 17.10.2025 passed by the learned Tribunal.

5. Now, the Review Petitioner has urged that the judgment under review warrants reconsideration on the ground that the same has not elaborately discussed all the grounds raised regarding violation of enquiry procedure; some *questions of law* specifically framed; whether the video discussed any sensitive information; and proportionality of punishment in lieu of the offence being a “*first offence*”.

6. *Per contra*, the learned Counsel appearing on behalf of the Respondent vehemently opposes the present petition and submits that *no error apparent on the face of record* has been demonstrated. This Court has passed a reasoned judgment, and the present review petition is liable to be dismissed as the same seeks re-appreciation of facts and reconsideration of the same issues already examined which is impermissible under review jurisdiction.

7. At the outset, it is well settled that the power of review is an extremely limited jurisdiction. A review proceeding cannot be equated with an appeal in disguise. The jurisdiction under Section 114 read with Order XLVII Rule 1 CPC is confined to correction of “*an error apparent on the face of the record*” or other grounds specifically recognized therein. Further *an error apparent on the face of the record* must be an error which is self-evident and does not require a long-drawn process of reasoning. An error which can be established only after an elaborate examination of the material and where two



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views are reasonably possible cannot ordinarily be characterised as an error apparent on the face of the record. [Ref: **Meera Bhanja v. Nirmala Kumari Choudhury** : (1995) 1 SCC 170].

8. Examined in the aforesaid light, we find that the grounds disclosed in the review petition do not disclose *any error apparent on the face of the record* warranting exercise of review jurisdiction.

9. It has been recorded in the judgment under review, that undisputedly on 22.01.2017, a video was uploaded on social media (*Facebook Account - with more than 2000 followers*) wherein the Petitioner, *while being in uniform*, publicly aired grievances concerning service conditions stating disparity between officers and airmen with respect to rations, uniform facilities, travelling conditions, allowances and social treatment. The same got circulated on multiple social media platforms and tarnished the image of the Indian Air Force.

10. Considering the same and that the factum of recording/ dissemination of the video, which formed the basis of initiation of proceedings remained undisputed, this Court found no fault in the observations of the learned Tribunal that the Petitioner has violated the provisions of the Armed Force Order and protocol which required the Air Force personnel to exercise extreme caution while participating in social networking platforms and specifically restrains dissemination of service related information and mandated caution in social media interaction and emphasizes preservation of institutional discipline and security concerns.



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11. As regards the defense of mental state, it was observed that the same could not be an excuse to bypass the strict code of discipline and conduct expected from a man in uniform. Even initially the Petitioner had stated he himself had uploaded the video and then changed the stance to state that the video was uploaded by some unidentified children of his society, which could not be proved. The video got circulated on multiple platforms and tarnished the image of the Indian Air Force.

12. On the aspect of procedure adopted and adequate opportunity to defend not being provided, this Court had noted that the Petitioner was issued a Show Cause Notice and had furnished a reply wherein he admitted recording the video. Insofar as the contention of the absence of a Court Martial is concerned, it was held that the Court of Inquiry was conducted as a preliminary fact-finding exercise, followed by an independent decision of the competent authority. Since the foundational fact was itself not in dispute and the objection regarding Court Martial was not raised in the reply to the Show Cause Notice, it was held that certain technical arguments regarding court martial could not be a reason to interfere with the disciplinary proceedings.

13. As regards the proportionality of punishment, it was opined that matters relating to discipline, conduct and punishment within the Armed Forces fall primarily within the domain of the competent disciplinary authorities and the specialized adjudicatory mechanism. The petitioner never approached the internal grievance redressal mechanisms and resorted to making a video regarding the same which



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was prejudicial to service discipline. Thus, he was removed from services and the same did not shock the conscious of this Court, as to warrant inference.

14. Hence, this court holistically considered the case of the Petitioner and already examined the challenges to the Court of Inquiry and the alleged violation of natural justice, including the petitioner's opportunity to respond to the allegations; the circumstances in which the video was recorded and uploaded while in uniform and the applicability of the service discipline/social-media restrictions; the petitioner's explanation regarding his mental and family circumstances; the issue concerning his description as a "*Technical Officer*"; and the proportionality of the punishment in the context of his conduct and the findings of the disciplinary authority and the learned Tribunal.

15. Thus, the contentions sought to be urged by the Review Petitioner regarding non-appreciation of some specific grounds raised in the petition and "*questions of law*", that too when the Petitioner had orally limited his grounds for challenge, are all arguments on merits of the case, which already stand discussed in the judgment. Merely because the Petitioner, desires a more elaborate reasoning or believes that it can convince this Court to take another view by re-arguing the matter, cannot constitute *an error apparent on the face of the record*.

16. The review petition essentially invite this Court to re-examine the merits and findings returned in the judgment under review by undertaking a fresh consideration of the statutory provisions, the



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documents placed on record and the rival contentions on merits. Such an exercise falls squarely within the domain of *appellate jurisdiction* and is wholly impermissible in review proceedings.

17. Any dissatisfaction with the reasoning adopted by the Court or the extent of discussion on a particular aspect cannot be a ground for review.

18. Thus, in the absence of any *error apparent on the face of the record* or any other ground falling within the parameters of Order XLVII Rule 1 CPC, we find no merit in the present Review Petition.

19. Accordingly, the Review Petition is dismissed. Pending application also stands disposed of.

AMIT MAHAJAN, J.

ANIL KSHETARPAL, J.

SEPTEMBER 25, 2026

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