Polity & Governance · GS - II

Examine the scope and limitations of the Supreme Court's review jurisdiction under Article 137. How does it balance judicial finality with the need to correct errors of justice?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 23/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

BECOME IAS
AI POWERED UPSC PREP

Answer Hint

Article 137, Article 145, review jurisdiction, judicial finality, error apparent on the face of record, miscarriage of justice, curative petition, judicial accountability

Model Answer

Introduction

Article 137 of the Constitution empowers the Supreme Court to review its judgments and orders, subject to parliamentary law and rules framed under Article 145. It provides a limited mechanism to correct serious judicial errors.

Scope of Review Jurisdiction

1. **Correction of errors:** Review may be considered where an error apparent on the face of the record exists.
2. **Discovery of new evidence:** Previously unavailable and significant evidence may justify review in appropriate circumstances.
3. **Prevention of injustice:** Review jurisdiction helps prevent grave miscarriage of justice.

4. **Constitutional safeguard:** It ensures that the Supreme Court's decisions remain subject to a limited corrective mechanism.

Limitations

1. **Not an appeal:** Review cannot be used merely to seek a fresh hearing or rehearing of arguments.
2. **Narrow grounds:** The Supreme Court follows restrictive principles under Order XLVII of its Rules.
3. **Judicial finality:** Excessive reviews can undermine certainty, consistency and public confidence in judgments.

Balancing Finality and Justice

The Court has also evolved the curative petition as an exceptional remedy after dismissal of a review petition, as recognised in *Rupa Ashok Hurra v. Ashok Hurra (2002)*. This provides a narrow safeguard against exceptional miscarriages of justice.

Conclusion

Article 137 reflects the balance between correcting grave judicial errors and preserving the finality of judgments. Its restrained exercise strengthens constitutional justice and public confidence in the judiciary.

BECOME IAS
AI POWERED UPSC PREP