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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Review Petition No... 17 of 2014

Division Bench

[Of final order of Division Bench-II of this hon'ble court in
Writ Petition (PIL) No. 6 of 2014, dated- 31/01/2014]

PETITIONER:

— B.K. Manish, S/o- Late
Satyanarayan, Aged about 34
years, R/o- Prayas, 395
Bajnathpara, Raipur (C.G.)

R.No.

Presented by Shri ...

dated

17/14

B.K. Manish

20/02/14

VERSUS

RESPONDENTS:

1. State of Chhattisgarh
— Through The Chief Secretary,
Government of Chhattisgarh
Mahanadi Bhavan, Mantralaya,
Naya Raipur (C.G.)
2. Union of India
— Secretary- Dept. of Personnel &
Training, North Block, New Delhi

**REVIEW PETITION UNDER RULE .91 OF
CHHATTISGARH HIGH COURT RULES, 2007.**



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Review Petition No. 17 of 2014
(IN CHAMBER)

Hon'ble Mr. Sunil Kumar Sinha &
Hon'ble Mr. Inder Singh Uboweja, J J

03.03.2014

The petitioner is seeking review of the order dated 31st of January, 2014 passed in W.P.(PIL) No. 06/2014. The petitioner, claiming himself to be a Tribal Rights Activist, had filed Public Interest Litigation (PIL) for issuance of directions to the concerned authorities to act in accordance with law and statutory Rules and guidelines while selecting DGP of Chhattisgarh. We found that no documents were filed in the PIL to substantiate that the authorities were not acting in accordance with law. Thus the PIL was lacking in material particulars. We also found that the PIL was not maintainable because appointment of the DGP was a service matter.

The petitioner has not raised any new ground in the review petition. Almost similar grounds have been raised. It appears that the petitioner wants a fresh hearing on the same issues in garb of the review petition.

Rule 90 (1) of the High Court of Chhattisgarh Rules, 2007 provides that "Every application for review made upon the ground of the discovery of new and important matter or evidence within the meaning of Order XLVII Rule 1 of the Code of Civil Procedure shall be accompanied by an affidavit of the applicant together with documents, if any, relied upon and stating in clear terms what such new and important matter or evidence is, the effect or purport thereof

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and that the same, after the exercise of due diligence was not within the knowledge of the applicant or could not be produced by him at the time when the decree/order was passed."

A perusal of the review petition would show that it is not based on the ground of discovery of new and important matter or evidence within the meaning of order XLVII Rule 1 of the Code of Civil Procedure. In fact, the review petitioner has pressed into motion all old grounds which we have already considered while passing our order dated 31st of January, 2014.

In view of the provisions of Rule 90 of the Rules 2007 as also order XLVII Rule 1 of the Code of Civil Procedure, we do not find sufficient ground to entertain this review petition.

The review petition, therefore, is rejected.

Sd/-
Sunil Kumar Sinha
Judge

Sd/-
Inder Singh Uboweja
Judge