

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Rev. Pet. No. 152 of 2015**

Smt. Koushilya Gupta w/o Shri Bijendra Sahu Aged about 34 years R/o Village Mahadeodand P.S. Bagicha District Jashpur (CG)

---- Petitioner

Bijendra Sahu S/o Shri Deo Prasad Sahu aged about 34 years, R/o North Chirmiri Tahsil Khadgaon District Korea (CG) But wrongly mention as District Bilaspur (CG)

----Respondent

For Petitioner : Shri A.N. Pandey, Advocate

Respondent not noticed.

HON'BLE SHRI JUSTICE CHANDRA BHUSHAN BAJPAI**Order on Board****10/12/2015**

1. Heard on I.A.No.1/2015 for condonation of delay in filing the petition as the instant petition is preferred after 199 days of its limitation.
2. Learned counsel for the petitioner submits that the delay is bonafide and not deliberate in filing the instant review petition, hence, the same may be condoned.
3. After perusal of I.A.No.1/2015, it appears that the delay in filing the instant review petition after 199 days is not satisfactorily explained. Only in para 4 of the application, it is mentioned that the delay is bonafide and not deliberate. It was required to demonstrate the bonafidies and satisfactory explanation for the delay. Thereby, I.A.No.1/2015 is without any foundation and therefore, as the delay is not satisfactorily explained or even otherwise explained by any of the facts, in the considered view of

this Court, the application deserves to be dismissed. Even on the facts regarding hearing the instant petition on its merits, learned counsel for the petitioner submitted that there is nothing in the petition for the principles of review as required by law. Learned counsel would further submits that the review petition is based on the factual ground as the petitioner is unable to appear before Judge, Family Court, Sarguja at Ambikapur. After perusal of the order dated 25.3.2015 in TPC No.42/2014 after hearing both the parties and after being given an opportunity to file reply for the petition, this Court had passed a detailed order on the facts and material available in the record.

4. On due consideration as Section 114 of the C.P.C. is not attracted to take a different view than it is taken in the impugned order, this Court is of the view that the principle on which the matter may be considered for the review is not demonstrated.

5. Consequently, I.A.No.1/2015 for condonation of delay is dismissed and also the instant review petition is dismissed as not maintainable.

6. No order as to cost.

Sd/

(Chandra Bhushan Bajpai)
JUDGE