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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**REVP No. 28 of 2016**

1. Gokul Ram Yadav S/o Late Shri Goverdhan, Aged About 65 Years Caste Raut, R/o Village Chawela, Post Karmoti, Police Station And Tahsil Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh
2. Paklu Ram S/o Late Partam, Aged About 67 Years Caste Raut, R/o Village Chawela, Post Karmoti, Police Station And Tahsil Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh
3. Baratiya S/o Late Goverdhan, Aged About 70 Years Caste Raut, R/o Village Chawela, Post Karmoti, Police Station And Tahsil Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh
4. Keshav Ram Yadav S/o Late Goverdhan, Aged About 60 Years Caste Raut, R/o Village Chawela, Post Karmoti, Police Station And Tahsil Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh .....(Respondent No. 6 To 9)

**---- Applicants**

**Versus**

1. The State Of Chhattisgarh , Through Secretary, Jan Shikayat Niwaran Vibhag, Mantralaya, Mahanadi Bhawan, Naya Raipur Distt. Raipur, Chhattisgarh
2. The Collector, Uttar Baster Kanker, Chhattisgarh
3. The Sub Divisional Officer, (Revenue) Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh
4. The Tahsildar, Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh
5. Chhattisgarh Rajya Anusuchit Janjati Aayog, Through The Secretary Chhattisgarh Rajya Anusuchit Janjati Aayog Raipur, Chhattisgarh
6. Gyan Singh Gaur S/o Shri Prabhuram Gaur, Aged About 26 Years Caste Halba, R/o Village Bogar, Police Station And Tahsil Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh .....(Respondents)
7. Smt. Gangotri Bai W/o Shri Uday Ram, Aged About 72 Years Caste Halba, R/o Village Chawela, Post Karmoti, Police Station And Tahsil Bhanupratappur, Distt. U.B. Kanker, Chhattisgarh .....(Petitioner)

**---- Respondents**

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Present: Shri Parag Koteha, counsel for the applicants.  
Shri D.R. Minj, Dy. Govt. Advocate for the State/respondents No. 1 to 4.  
Shri Jitendra Gupta, counsel for respondent No.6.  
Shri R.K.Bhagat, counsel for respondent No.7.

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**S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**27/07/2016**

1. Heard on prayer for review of order dated 21.9.2015 passed in WPC No.1694 of 2015.
2. Learned counsel for the applicants submits that the applicants were impleaded as respondents in the writ petition filed by respondent No.7. He submits that in the writ petition, the details of various revenue proceedings in respect of the land which was subject matter of the writ petition, various orders passed from time to time and pendency of revision was not brought to the notice of this Court because the petition was disposed off at the motion hearing stage itself. Learned counsel for the applicants submits that in favour of the petitioner, order was passed by the Sub Divisional Officer which was challenged in the revision and during the pendency of the revision, the fact having not been brought to the notice of this Court, the petition was disposed off. Learned counsel for the applicants submits that the order passed by this Court is to their prejudice because there is a direction for consideration of claim of Gangotri Bai for grant of forest right, whereas in respect of the same land, orders have already been passed in favour of the applicants not only in revenue proceedings but also in civil proceedings.
3. Learned counsel for respondent No.6 & 7 submits that the applicants claim of they having succeeded in revenue and civil proceedings will have no effect and impact because the writ petition was filed in respect of another piece of land. Therefore, the order does not warrant any review.
4. After going through the pleadings of the writ petition in which order dated 21.9.2015, under review, was passed and the contents of the review petition

and documents annexed therewith, in the opinion of this Court, the matter calls for proper enquiry by this Court after affording opportunity of hearing to the review applicants, as it appears that the direction issued by this Court on 21.9.2015 is likely to operate against the interest of the applicants.

5. For that reason alone, I am inclined to recall the order dated 21.9.2015. Accordingly, the order dated 21.9.2015 is hereby recalled and the Writ Petition (C) No.1694 of 2015 is restored to its original number.
6. Review petition is accordingly finally disposed off.

Sd/-  
**(Manindra Mohan Shrivastava)**  
Judge