

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 178 of 2015

1. Ku. Meena Diwan D/o Shri Anand Ram Dewan, Aged About 26 Years R/o Pairi Nagar, Gariyaband Tehsil Gariyaband, District Gariyaband, Chhattisgarh(Petitioner No. 3)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat & Rural Development Mahanadi Bhawan, Capital Complex, Mantralaya, New Raipur, District Raipur, Chhattisgarh(Respondent No. 1)
2. The Deputy Director, Panchayat & Social Welfare Department, Raipur, District Raipur, Chhattisgarh(Respondent No. 2)
3. The Collector Gariyaband, District Gariyaband, Chhattisgarh(Respondent No. 3)
4. The Chief Executive Officer, Janpad Panchayat Mainpur, District Gariyaband, Chhattisgarh(Respondent No. 4)
5. The Block Education Officer Mainpur, District Gariyaband, Chhattisgarh(Respondent No. 5)
6. Smt. Laxmi Shree Sahu W/o Shri Dwarka Prasad Sahu, Aged About 27 Years Earlier Posted As Shikshakarmi Grade III At Middle School Tribal Ashram Block Mainpur, District Gariyaband, Chhattisgarh
7. Smt. Devla Thakur W/o Shri Budhram Thakur, Aged About 35 Years Earlier Working As Shikshakarmi Grade III At Middle School Achanpur, Janpad Panchayat Mainpur, District Gariyaband, Chhattisgarh
8. Ku. Ritu Yadav D/o Shri Tukeshwar Yadav, Aged About 26 Years Earlier Posted As Shikshakarmi Grade III At Primary School, Tribal Ashram Kalimati, Block Mainpur, District Gariyaband, Chhattisgarh
9. Smt. Savitri Nishad W/o Shri Komal Nishad, Aged About 30 Years Earlier Posted As Shikshakarmi Grade III At Primary School Badgaon, Block Mainpur, District Gariyaband, Chhattisgarh(Petitioners)

For Petitioner	Shri Jitendra Pali, Advocate
For Respondent/State	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/02/2016

1. In this review petition Shri Pali, learned counsel appearing for the review petitioner, would argue that while dismissing WPS No.1186 of 2015, this Court has proceeded on an assumption that the review petitioner (petitioner No.3 in WPS No.1186 of 2015) had submitted the forged certificate whereas her case is not of production of forged certificate, but she was removed on the ground that the petitioner was less than 18 years of age on the date of advertisement/selection.
2. The writ petition was decided along with another writ petition and a detailed order on merits has been passed by this Court. It is mentioned in para 2 of the order that the appointment has been made on the basis of forged sports certificates, scouts certificates, experience certificates, **etc.** vitiating the entire selection process.
3. Although Rules permit taking of the review application in chamber, but it was listed in the Court so that the exact nature of

grievance raised by the petitioner can be ascertained. It appears the petitioner was removed from service on the ground that she was less than 18 years of age on the date of advertisement/recruitment. Petitioner has not brought to the notice any document wherein she can demonstrate that she was, in fact, more than 18 years of age on the date of advertisement/selection. That not being the case, there is no apparent error in the order passed by the Court.

4. In the garb of review application, this Court would not permit the entire matter to be argued afresh in the light of law laid down by the Supreme Court in *Meera Bhanjan v. Smt. Nirmal Kumar Chowdhary*, AIR 1995 SC 455, *Lily Thomas etc. v. Union of India and others*, AIR 2000 SC 1650, *Ajit Kumar Rath v. State of Orissa and others*, AIR 2000 SC 85, *Government of T.N. & Others v. M. Ananchu Asari and others*, (2005) 2 SCC 332, and *Kerla State Electricity Board v. Hitech Electrothermicism & Hydropower Ltd. and others*, (2005) 6 SCC 651.

5. As a sequel, the review petition, *sans substratum*, is liable to be and is hereby dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Gowri