

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 486 of 2016**

1. State Of Chhattisgarh Through The Chief Secretary, Government Of Chhattisgarh, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh) (Now Mahanadi Bhawan, Naya Raipur, Chhattisgarh)
2. The Secretary, Home Department, Chhattisgarh Government, D. K. S. Bhawan, Raipur (Chhattisgarh) (Now Mahanadi Bhawan, Naya Raipur, Chhattisgarh).
3. The Secretary, Relief And Rehabilitation, D. K. S. Bhawan, Raipur (Chhattisgarh) (Now Mahanadi Bhawan, Naya Raipur, Chhattisgarh)
4. The Collector And Distt. Magistrate, Surguja At Ambikapur (Chhattisgarh)
5. The Superintendent Of Police, Police Distt. Balrampur Distt. Surguja (Chhattisgarh) (Now District Balrampur Chhattisgarh)

---- Appellants**Versus**

Murli Shyam Rahi S/o Late Shri Ramabadan Choubey, Aged About 65 Years R/o Village Piparaul, Police Station And Tahsil Ramanujganj Distt. Surguja (Chhattisgarh) (Now District Balrampur Chhattisgarh)

---- Respondent

For Appellants/State	: Shri Yashwant Singh Thakur, Additional Advocate General
For Respondent	: None.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Sanjay Agrawal, J.

Judgment on Board**Per Deepak Gupta, Chief Justice****02/11/2016**

1. This appeal is directed against the order dated 3.9.2016 passed by Learned Single Judge of this Court whereby he dismissed the review petition filed by the State mainly on the ground that review petition was miserably delayed. In this appeal challenge has also been made to the order dated 15.3.2011 passed in the writ petition.

2. As far as challenge to the order passed by the writ Court in the writ petition is concerned, the delay is more than five years. The order was passed on 15.3.2011. It is stated that the Government of Chhattisgarh has rejected the representation of the Respondent for allotment of land and thereafter decision was taken to file the review petition on 22.7.2016. The review petition was dismissed on 3.9.2016 and thereafter the decision was taken to file an appeal. There is no explanation whatsoever why neither a review petition nor an appeal was filed from 2011 to 2016. The impugned order in the writ petition was passed in presence of the Learned Deputy Government Advocate and we cannot believe that Government was unaware of the same. Therefore, we are of the considered view that the writ appeal is miserably delayed and there is no explanation for the delay. We also find that for the same reasons, the Learned Single Judge was fully justified in dismissing the review petition as barred by limitation.

3. In view of the above, writ appeal stands rejected.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Sanjay Agrawal)
Judge