

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No.987 of 2016**

1. Jagdish Prasad Agrawal S/o Late Shri Prabhulal Agarwal Aged About 63 Years R/o Samta Colony Raipur, Police Station Saraswati Nagar Raipur, Civil & Revenue District Raipur, Chhattisgarh.
2. Santosh Agarwal S/o Shri Jagdish Agarwal Aged About 39 Years R/o Samta Colony Raipur, Police Station Saraswati Nagar Raipur, Civil & Revenue District Raipur, Chhattisgarh.
3. Vinod Kumar Agarwal S/o Shri Jagdish Prasad Agrawal Aged About 37 Years R/o Samta Colony Raipur, Police Station Saraswati Nagar Raipur, Civil & Revenue District Raipur, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Station House Officer, Police Station Kamhari, District Durg, Chhattisgarh.
2. Rajendra Agarwal S/o Late Shri Prabhulal Agarwal Aged About 58 Years R/o Gole Bazar Raipur, Police Station City Kotwali Raipur, Tehsil & District Raipur, Chhattisgarh.
3. Amit Agarwal S/o Shri Rajendra Agarwal Aged About 35 Years R/o Gole Bazar Raipur, Police Station City Kotwali Raipur, Tehsil & District Raipur, Chhattisgarh.

---- Respondents

For Petitioners	:	Shri P. P. Sahu, Advocate
For Respondent No.1	:	Shri B. Gopa Kumar, Dy.AG
For Respondent No.2 & 3	:	Shri B. P. Sharma, Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06/12/2016**

Heard on application for condonation of delay in filing the revision petition.

2. For the reasons stated in the application and considering the period of delay, I am inclined to condone the delay in filing this revision petition.
3. This revision arises out of order passed by the Court below condoning delay in filing the revision before the Court below.

4. Learned counsel for applicant submits that without sufficient cause shown for condoning the delay in filing the revision, the Court below only on the basis of order passed by this Court dated 07-03-2013 passed in W.P.(Cr.)No.19/2013 has condoned the delay.

5. The order impugned in the revision petition before the Court below was passed on 07-12-2011 by the Sub Divisional Magistrate and revision was filed before the Court below on 08-04-2013, before that, the respondents had filed writ petition (criminal) before this Court in the year 2013 itself, which was disposed off vide order dated 07-03-2013, whereafter the revision was filed.

6. This Court in para 3 of its order dated 07-03-2013 passed in W.P. (Cr.)No.19/2013 clearly directed that the revisional Court is required to consider the revision in the light of the order dated 22-02-2013 passed by this Court in W.P. (227)No.873/2012.

7. That means that this Court directed the revisional Court to consider the matter on merits of the issue. It was for this reason, why the Court below has condoned the delay. Therefore, in view of above, I do not find any perversity in the order impugned to call for interference in exercise of revisional jurisdiction, particularly when there is no decision on merits.

8. In the result, this revision petition is dismissed.

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