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HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (227) No. 384 of 2015**

Vishwanath Mishra, aged about 74 years, S/o Late Shri Ishwar Datt Mishra, Retired Employee, R/o Near Torwa Railway Pump House, Bilaspur, Civil and Revenue District : Bilaspur (C.G.)
..Judgment debtor

---- Petitioner**Versus**

1. P. Bhaskar Rao, aged about 53 years, S/o Late P.N. Rao, R/o R.T.S. Colony, Bilaspur, Civil and Revenue Distt. Bilaspur (C.G.)
...Decree Holder
2. State of Chhattisgarh, Through the Collector, Bilaspur (C.G.)

---- Respondents

For petitioner : Mr. Ravindra Agrawal, Advocate.
For Respondent No.2: Mr. Gary Mukhopadhyay, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****12/07/2017**

Heard.

(1) Application under Order 47 Rule 1 of the CPC filed by petitioner/judgment-debtor for reviewing its order dated 24.09.2014 has been rejected by the impugned order.

(2) Learned counsel appearing for the petitioner would submit that there is error apparent on the face of the record in the order dated 24.09.2014; as by order dated 24.09.2014, application under Section 151 of the Code of Civil Procedure filed by the respondent No.1/plaintiff has been allowed by the trial Court and declined to record the evidence in view of the commissioner report, against which review petition has

been filed; that has wrongly been dismissed by the trial Court by order dated 12.03.2015 and, therefore, the impugned order is liable to be set aside.

(3) Having heard learned counsel appearing for the petitioner, having perused the order impugned, I do not find any jurisdictional error warranting interference by this Court under Article 227 of the Constitution of India.

(4) Accordingly, the writ petition fails and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-