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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (227) No. 44 of 2017

Khilendra Kumar Sahu, son of Shri Tularam Sahu, aged about 45 years, resident of village Bagdehi, Post Dahi, P.H. No.16, Tahsil Kurud, Civil and Revenue, District Dhamtari (C.G.)

---- Petitioners

Versus

1. State of Chhattisgarh, Through the Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur (C.G.)
2. Chhattisgarh Board of Revenue, through the President Chhattisgarh Bilaspur, District – Bilaspur (C.G.)
3. Commissioner, Raipur, Division, Raipur, Distt. Raipur (C.G.)
4. Harish Kumar Sahu, son of Latkhar Sahu, aged about 40 years,
5. Nohar Ram Sahu, S/o. late Shri Sewak Ram Sahu, aged about 40 years,
6. Ramlal Dhruvanshi, S/o late Shri Indralal Dhruvanshi, aged about 42 years,
7. Dukaluram, S/o late Mangluram, aged about 60 years,
8. Harihar Dani, S/o. late Shri Dharam Singh Dani, aged about 40 years,
9. Narala Sahu, S/o. late Shri Maniram Sahu, aged about 35 years,
10. Yuvraj Sahu, S/o Shir Sukhram, aged about 37 years,
11. Genddhar Dhruw, S/o Shri Bisru Dhruw, aged about 37 years,
12. Hemant Kumar Sahu, S/o Shri Pankaj Sahu, aged about 42 years,
13. Gulab Singh, S/o Shri Bharat Sahu, aged about 67 years,
14. Gaukaran Sen, S/o late Shri Ghashiram Sen, aged about 35 years,

All are resident of village Bagdehi, Tahsil Kurud, District Dhamtari (C.G.)

--- Respondents

For Petitioner : Shri R.S. Patel, Advocate.
For Respondents No. 1 to 3 : Shri Prafull N. Bharat, Additional Advocate General.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/01/2017

(1) Learned counsel for the petitioner would submit that the Board of Revenue has acted illegally in exercise of his jurisdiction in admitting the review petition, issuing notice and calling for the record of the case.

(2) It is argued that earlier Board of Revenue had passed detailed order taking into consideration the arguments advanced by the parties. Now, the parties moved an application instead of filing any petition against the order of Board of Revenue.

(3) The Board of Revenue has invoked *sue motu* jurisdiction of review on certain grounds.

(4) From the perusal of order impugned, it would reveal that the Board of Revenue, after taking into consideration the arguments advanced by the parties and upon hearing on application for condonation of delay in filing the revision petition and passed the final order.

(5) By the impugned order , the Board of Revenue has admitted the review petition for hearing and issued notices to all the parties and call for the records. Thus, in these circumstances, I am not inclined to interfere with the proceedings of the Board of Revenue because it has authority to review its own order either on the application of the parties or its *sue motu* jurisdiction.

(5) Accordingly, the writ petition being devoid of merit is liable to be and is hereby dismissed. However, the petitioner would be at liberty to raise all the grounds which are being raised by him in opposition of the motion for review of the order dated 21.01.2016.

Sd/-

(Manindra Mohan Shrivastava)

Judge

D/-