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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1035 of 2017**

Jai Vasugnath Machhuwa Sahakari Samiti Through Its President,
 Bhuneshwar Prasad Manhar, S/o Mahettar, Aged About 32 Years, R/o
 Kanout, Navagarh, Dist. Janjgir Champa (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Fishery,
 Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya
 Raipur, District Raipur (Chhattisgarh)
2. Commissioner, Bilaspur Division Bilaspur, District Bilaspur
 (Chhattisgarh)
3. Additional Commissioner, Bilaspur Division Bilaspur, District Bilaspur
 (Chhattisgarh)
4. Collector, District Janjgir Champa, Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat, Navagarh, Dist. Janjgir
 Champa (Chhattisgarh)
6. Kewat Matasya Udhog Sahakari Maryadit, Shivrinarayan, Through Its
 President, Chandan Kewat, Shivrinarayan, Dist. Janjgir Champa
 (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. B.D. Guru, Advocate
For State	:	Mr. Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****24/04/2017**

Heard on admission.

1. Though the order dated 16.03.2017 passed by the Additional Commissioner refusing to review earlier order passed on 31.08.2015 has been dismissed, wrongly interpreting the order passed by this Court earlier on 08.03.2017 in WPC No.2327 of 2016, having observed the statutory scheme of the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995 (for short "the Rules of 1995") which does not

contain any provision conferring power of review on the revisional appellate authority, and that against an order passed in appeal, there is remedy of revision under Rule 4 of the Rules of 1995 before the State Government, I am not inclined to pass further direction except that the Commissioner has no jurisdiction though the reason for refusal to exercise purported review jurisdiction is based on complete misconstruction of the order passed by this Court earlier.

2. The petitioner would have the liberty to avail remedy of revision as provided under Rule 5 of the Rules of 1995.
3. It goes without saying that the period during which this petition remained pending before this Court, may be claimed to be excluded while counting of period of limitation.
4. With the aforesaid liberty, the petition is dismissed.

Sd/-
(**Manindra Mohan Shrivastava**)

J U D G E