

HIGH COURT OF CHHATTISGARH, BILASPUR

Review Petition No.24 of 2016

1. Chandrika Sahu, D/o Shivcharan Sahu, aged about 54 years, R/o Sadar Road, Nawapara, Tahsil Abhanpur, District Raipur (C.G.)
2. Anu @ Alok Sahu, S/o Chandrika Sahu, aged about 27 years, R/o Sadar Road, Nawapara, Tahsil Abhanpur, District Raipur (C.G.)

(Proposed respondent No.3 & 4)
---- Applicants

Versus

1. Chhabilal Sahu, S/o Shri Late Lakhanlal Sahu, aged about 28 years, R/o Ward No.15, Navapara, Tahsil Abhanpur, District Raipur (C.G.)
2. State of Chhattisgarh, through Additional Tahsildar, Navapara, Tahsil Abhanpur, District Raipur (C.G.)
3. Commissioner for Workmen's Compensation Labour Court, Raipur, District Raipur (C.G.)

(Petitioner)

(Respondent No.1 & 2)
---- Non-applicants

For Petitioners:	Mr. H.B. Agrawal, Senior Advocate with Mrs. Itu Rani Mukherjee, Advocate.
For Respondent No.1:	Ms. Rajni Soren, Advocate.
For State/Respondent No.2: -	Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

19/07/2017

1. Chhabilal Sahu filed W.P.(S)No.72/2015 calling in question the order of the Additional Tahsildar, Navapara, dated 4-1-2014 which was allowed by this Court by order dated 15-12-2015, thereafter, the instant review petition has been filed by Chandrika Sahu and Anu @ Alok Sahu stating that they were not heard before passing order in the writ petition as they were

necessary party and they are employees and on their objection the Additional Tahsildar has passed order, therefore, they are effected party and without hearing them the order dated 15-12-2015 has been passed and as such that order be recalled.

2. Ms. Rajni Soren, learned counsel for the writ petitioner/respondent No.1 herein, would submit that the present petitioners have no legally sustainable ground to seek recalling of the order dated 15-12-2015.
3. Since the order dated 4-1-2014 by the Additional Tahsildar was passed in which the present petitioners appeared and opposed and thereafter, the said order passed by the Additional Tahsildar was quashed by order dated 15-12-2015 without noticing and without impleading the present petitioners, therefore, the order dated 15-12-2015 passed in W.P.(S)No.72/2015 is hereby recalled and the writ petition is restored to its original number for hearing and disposal in accordance with law. However, the amount deposited pursuant to the order passed in the review petition shall be subject to the final outcome of the said writ petition.
4. With the aforesaid observation, the review petition stands finally disposed of. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge