

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Review Petition No. 7 of 2018**

1. Ghasu Sahu S/o Chowaram Sahu, aged about 60 years, R/o Urai Dabri Ka Tola, Tahsil and Thana Dongargarh, Civil and Revenue District Rajnandgaon, Chhattisgarh
2. Dashri Bai W/o Ghasu Sahu, aged about 60 years, R/o Urai Dabri Ka Tola, Tahsil and Thana Dongargarh, Civil and Revenue District Rajnandgaon, Chhattisgarh

---- Petitioners**Versus**

1. Rajesh Kumar Mahagahe S/o Laxminarayan, aged about 23 years, Occupation Driver, R/o Village Paathri, Post Hatta, Civil and Revenue District Balaghat (M.P.) (Driver of the offending vehicle)
2. Jitendra Kumar Bafna Proprietor J. K. Floor and Dal Mill, Ramadhin Marg, Rajnandgaon, Civil and Revenue District Rajnandgaon, Chhattisgarh (Owner of the offending vehicle)
3. Branch Manager, the Oriental Insurance Company Ltd., Station Road, Rajnandgaon, Civil and Revenue District Rajnandgaon, Chhattisgarh (Insurer of the offending vehicle)

---- Respondents

For Petitioners	:	Shri Punit Ruparel, Advocate
For Respondent no.3	:	Shri Kapil Maini, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06/03/2018**

The present review petition has been filed seeking review of the order dated 13.02.2017 passed in MAC No. 1349/2016 whereby the appeal preferred by the claimants against the award passed by the Tribunal was dismissed on the ground of delay.

2. The present petition has been filed with a delay of more than 298 days. The only ground for condoning the delay mentioned in the application seeking

condonation of delay is the poor financial condition of the petitioners. The said ground under any circumstance cannot be construed a strong ground for review.

3. The review of an order is always for an error apparent on the face of record detected. The petitioners have miserably failed to firstly point out any error apparent on the face of record. Secondly, no plausible explanation has been shown for the inordinate unexplained delay. Under both the circumstances, this Court does not find any strong case made out by the petitioners for condoning the delay in filing of the review petition. Moreover, this court also is not inclined to entertain the review petition on the ground that the appeal itself was dismissed on the ground of delay and this review petition has been filed with a further delay of 298 days.

4. For the aforesaid reasons, I.A. No.01/18 for condonation of delay in filing the review petition is rejected. As a consequence, the present review petition also stands rejected.

Sd/-
(P. Sam Koshy)
JUDGE