

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Review Petition No. 5 of 2018**

Manilal Patel, aged about 56 years, S/o Karsan Bhai, R/o Karsan Bhai and Brothers, Opposite SBI, Bilaspur Road, Fafadih, Raipur, Tahsil and District Raipur, CG

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, Department of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Convener, Central Valuation Board and Inspector General of Registration, Old Red Cross Building, District Raipur, Chhattisgarh
3. Collector/Chairman, District Valuation Committee, District Raipur, Chhattisgarh
4. District Registrar/Convener, District Valuation Committee, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Parag Kotecha, Advocate
For Respondent/State	:	Shri Y. S. Thakur, Additional Advocate General

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice P. Sam Koshy****Order on Board****Per P. Sam Koshy, Judge****01/03/2018**

Heard the learned counsel for the petitioner at length.

2. The present review petition has been filed seeking review of the order passed by this Bench on 27.06.2017 in Writ Appeal No. 279/2016.
3. The petitioner had originally questioned the guidelines issued by the respondents fixing the market value of the property at Raipur by way of a writ petition registered as WPC No.1929 of 2015. The said writ petition stood dismissed vide order of the learned Single Judge dated 18.04.2016.

4. The said rejection of the writ petition was challenged in a writ appeal before this Bench. This Court after considering the contentions put forth by the appellant upheld the judgment of the Single Bench and dismissed the writ appeal vide order dated 27.06.2017.

5. Now by the review petition, the petitioner seeks to review the rejection of the writ appeal. The grounds of review raised by the petitioner are the same which were the grounds in the writ appeal. This Court has already considered all the contentions put forth by the petitioner while deciding the writ appeal. No substantial ground which is otherwise permissible for seeking a review has been raised in the present review petition. By way of the review petition, the petitioner literally intends to re-agitate the whole case afresh and seeks an opportunity to re-argue the Writ Appeal for the second time.

6. A review application is not an appeal in disguise. The review jurisdiction is available only for errors on the face of records. Re-appreciation of the facts of the case and passing of a fresh order by exercising the power of review is not permissible under law. It is settled principle of law that review proceedings are not to be treated as an appeal in disguise but have to be strictly confined to the scope and ambit of Order 47 Rule 1 of CPC. An error which could be detected by a process of reasoning can hardly be said to be an error apparent on the face of record so as to exercise the power of review. The review jurisdiction does not even permit an erroneous decision to be reheard and corrected. A mistake apparent on record means a mistake which needs no search at its face.

7. Thus, this Court does not find any merit in the review petition and the same being devoid of merit stands rejected.

Sd/-
(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE