

HIGH COURT OF CHHATTISGARH, BILASPUR**CR. No.121 of 2018**

Janakram Tiwari (Dead).

1. Suraj Bai Tiwari W/o. Late Janakram Tiwari, Aged About 78 Years.
2. Ambika Prasad Tiwari S/o Late Janakram Tiwari Aged About 65 Years.
3. Kalika Prasad Tiwari S/o Late Janakram Tiwari Aged About 54 Years.

Both R/o Village Khaira, Tahsil And District Bilaspur Chhattisgarh.

---- Applicants**Versus**

Jhangarram Suryavanshi S/o Jethuram Aged About 50 Years R/o Village Matiyari Tahsil And District Bilaspur Chhattisgarh.

---- Respondents

_ For Applicants : Shri Vijay Kumar Mishra & Shri K.K. Khatri, Advocate.
For Respondent : None.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/11/2018**

1. Heard on admission.
2. By the impugned order the applicants' application for review of judgement dated 28.03.2008 has been rejected.
3. Learned counsel appearing for the applicants submits that there was an apparent error on the face of the judgement dated 28.03.2008, therefore, the Review Court was absolutely unjustified in rejecting the review application. Reliance is placed on the judgment passed by the Supreme in **Suraj Pal Dead Through Legal Representatives Versus Ram Manorath & Ors** reported in **2017 (14) SCC 862**.
4. I have heard learned counsel for the applicants and perused the impugned order.
5. A careful perusal of the judgement under review would show that the trial Court has clearly recorded a finding that the suit filed by the petitioners/applicants was barred by limitation. Thus, the Review Court has rightly rejected the application for review because the legal error, if any on the merits cannot be considered under the review jurisdiction. Therefore, I do not find any perversity or illegality in the impugned order and as such, this writ petition is liable to be dismissed.
6. Accordingly, the writ petition is dismissed.

Sd /-

(Sanjay K. Agrawal)
Judge