

HIGH COURT OF CHHATTISGARH AT BILASPUR

Review Petition No. 47 of 2019

M.Maheshwar Rao, S/o. Late M. Satyam Naidu, Aged About 42 Years, R/o. Nayapara, Adwal, Jagdalpur, P.S.- Bodhghat, Bastar, Chhattisgarh (Owner)

----Petitioner

Versus

1. Bajaj Allianz General Insurance Company Limited, Through Branch Manager, Shiv Mohan Bhawan, 2nd Floor, Vidhan Sabha Marg, Pandri, District Raipur, Chhattisgarh. (Insurer)
 2. United India Insurance Company Ltd, Through Branch Manager, United India Insurance Company Ltd, Floor No.1, Anupama Chowk, District Bastar Chhattisgarh.
 3. Domuram Baghel, S/o. Mangal Sai Baghel, Aged About 26 Years, R/o. Nayapara, Adwal Jagdalpur, Police Station Bodhghat, Bastar Chhattisgarh.(Driver)
 4. Smt. Ghasini Bai Baghel, W/o. Late Ramraj Bhagel, Aged About 40 Years.
 5. Rameshwar Baghel, S/o. Late Ramraj Baghel, Aged About 27 Years.
 6. Mahendra Baghel, S/o. Late Ramraj Baghel, Aged About 20 Years.
 7. Sitaram Baghel, S/o. Late Ramraj Baghel, Aged About 14 Years.
 8. Ramsai Baghel, S/o. Late Ramraj Baghel, Aged About 11 Years.
No.7 & 8 Are Minor Through Natural Guardian Respondent No.4, Smt. Ghasini Bai Baghel.
 9. Smt. Sonamani Baghel, W/o. Late Ramraj Baghel, Aged About 37 Years.
 10. Raja Baghel, S/o. Late Ramraj Baghel, Aged About 14 Years
 11. Raju Baghel, S/o. Late Ramraj Baghel, Aged About 12 Years.
 12. Rajesh Baghel, S/o. Late Ramraj Baghel, Aged About 8 Years.
No. 10 to 12 Are Minor Through Natural Guardian Respondent No. 9, Smt. Sonamani Baghel.
 13. Jhirtu Ram Baghel, S/o. Sukhru Baghel, Aged About 60 Years.
 14. Smt. Domai Baghel, S/o. Jhirturam Baghel, Aged About 55 Years.
- No. 4 to 14 All Are R/o. Railway Colony, In Front Of Maharshi Vidya Mandir, Adawal, Jagdalpur, Police Station Bodhghat, District Bastar, Chhattisgarh.

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For Petitioner	:	Mr. Siddharth Shukla, Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.04.2018

Heard

1. By this petition, review of the order dated 27.03.2015, passed in M.A.(C) No.282 of 2014, has been sought for.
2. Perusal of the order shows that all the substantial facts and law were considered while appeal was heard and the parties were given proper opportunity of hearing. Reading of the review petition would show that fresh detailed facts have been pleaded.
3. The prayer made in the review petition appears to be misconceived. The petitioner has not pointed out any manifest error on the face of record and he has not brought to the notice of this Court any new facts which could not be produced earlier.
4. It is well settled principles of law that the review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47 Rule 1 of the Code of Civil Procedure. It appears that the petitioner by filing this review petition seeks an opportunity to argue the entire case afresh on merits under the garb of the review petition, which is not permissible and tenable in law. It is also well settled that under the garb of review petition, the petitioner should not be permitted to argue the entire case afresh which would amount to convert the review petition into an appeal and the same is not sustainable in law.
5. Further Hon'ble the Apex Court in ***State of West Bengal and others Vs. Kamal Sengupta and another (2008) 8 SCC 612*** held in para 22 that mistake or error apparent signifies an error which is

evident *per se* from the record of the case and does not require detailed examination, scrutiny and elucidation either of the facts or the legal position. If an error is not self-evident and detection thereof requires long debate and process of reasoning, it cannot be treated as an error apparent on the face of the record for the purpose of Order 47 Rule 1 CPC.

6. Therefore, in view of the above settled proposition of law, no grounds for review is available to the petitioner against the impugned order.
7. In a result, the review petition is without any substance, the same deserves to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge