

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****REVP No. 33 of 2014**

- Udeswar Rao S/o Umaji Rao Aged About 45 Years Working As Asst. Helper, R And R, Sub-Division Darri, Distt. Korba, R/o C/o Ramchandra Pawar, Near Irrigation Colony, Darri, P.S. Darri, Distt. Korba C.G., Chhattisgarh

---- Petitioner

**Versus**

1. State of Chhattisgarh Through- The Engineer In Chief, Department Of Water Resources, Raipur, Distt. Raipur C.G., Chhattisgarh
2. The Executive Engineer Hasdeo Barrage And Water Management Division, Rampur, Distt. Korba C.G., District : Korba, Chhattisgarh
3. The Industrial Court Raipur, Near Gandhi Chowk, Raipur C.G., District : Raipur, Chhattisgarh
4. The Presiding Officer Labour Court, Bilaspur, Distt. Bilaspur C.G., District : Bilaspur, Chhattisgarh

---- Respondent

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For petitioner : Mr. Ishan Varma, Advocate appears on behalf of Mr. Mateen Siddiqui, Advocate.

For State : Mr. Raghavendra Verma, Govt. Adv.

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Application for review of the order dated 26-11-2013 passed in  
W.P.NO. 1719 of 2004

**S.B.: Hon'ble Mr. Justice Ram Prasanna Sharma****20-08-2019**

1. By this review petition, the review petitioner seeks review of the order dated 26-11-2013 passed by this Court in Writ Petition No.1719 of 2004 (State of CG and another vs. Udeswar Rao and others) on the ground mentioned in the petition.

2. After going through the order of Writ Petition No. 1719 of 2004 it is manifest that after appreciating all the facts and legal aspect of the matter, this Court has disposed of the appeal on merit.
3. Considering all the grounds mentioned in the review petition which are in the nature of taking liberty to re-argue the case, there is no other ground showing any manifest error on the record and there is nothing that any new facts which could have been produced earlier but could not be produced despite diligent efforts made by the petitioner.
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. By this review petition, liberty to re-argue the entire case on merit afresh is not permissible because it would amount to convert the review petition into an appeal (See: Meera Bhanjan v. Smt. Nirmal Kumar Chowdhary, AIR 1995 SC 455, Lily Thomas etc. v. Union of India and others, AIR 2000 SC 1650, Ajit Kumar Rath v. State of Orissa and others, AIR 2000 SC 85, Government of T.N. & Others v. M. Ananchu Asari and others, (2005) 2 SCC 332, and Kerala State Electricity Board v. Hitech Electrothermics & Hydropower Ltd. and others, (2005) 6 SCC 651.

5. Accordingly, the review petition being devoid of merit is liable to be and is hereby dismissed.

Sd/-  
(Ram Prasanna Sharma)  
Judge

Raju