

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 88 of 2019

Arun Kumar Pathak (Pet. In Person) S/o Late Ramesh Prasad Pathak Aged About 43 Years Presently Working As Laboratory Technician, At Government Naveen College Tapkara, District Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of General Administration, Mantralaya Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. Chhattisgarh Public Service Commission Through Its Secretary, Shanakar Nagar, Raipur Chhattisgarh.

---Respondents

Petitioner in person	:	Mr. Arun Kumar Pathak.
For State	:	Mr. Saleem Kazi, Dy. A. G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

16/05/2019

1. The present review petition has been filed seeking review of the order dated 04.01.2019 passed in WPS No. 8069 of 2018. The relief sought in the main writ petition was in respect of relaxation of age to be given to a Government employee.
2. This Court after due consideration of the submission made by the petitioner and the Government Counsel had dismissed the writ petition vide its order dated 04.01.2019.
3. The present review has been filed on the ground that there is certain subsequent advertisement which has been issued by the State Government, which falsify the stand taken by the State Counsel in the writ petition which the petitioner had filed i.e. WPS No.8069 of 2018.

4. During the course of hearing, it has been informed to the bench that the order passed by this Court on 04.01.2019 in WPS No. 8069 of 2018 was subjected to challenge in Writ Appeal No. 59 of 2019 and the said Writ Appeal got rejected on 04.02.2019 affirming the order passed by this Court.
5. In view of the fact that the order passed by this Court has already been tested before the Division Bench and which has affirmed the same, the present review petition filed on the basis of certain subsequent advertisement would not be sustainable as that would not be the ground available for entertaining the review petition. So far as the law in respect of review is concerned, it is by now well settled that under review jurisdiction the court would entertain the petition only in the event of an error apparent on the face of records.
6. The ground raised by the petitioner is based upon the subsequent advertisement which has been published by the State Government. Apparently the same was not available either with the petitioner nor had this Court got the occasion of perusing such an advertisement hence it can not be said to be one which could be brought within the ambit of an error apparent on the face of record.
7. The review petition thus being devoid of merits, reserving the right of the petitioner for availing other remedies open to the petitioner, stands dismissed.

Sd/-

(P. Sam Koshy)
Judge