

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 118 of 2015

- Santosh S/o Pusau, Aged About 46 Years R/o Village Rakhi, New Raipur, Tahsil And District Raipur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through - The Secretary, Department Of Housing And Environment, Mahanadi Bhawan, Mantralaya, Raipur, District Raipur Chhattisgarh
2. Naya Raipur Development Authority, Through The General Manager Rehabilitation, Naya Raipur Development Authority Mantralaya, Near Mahanadi Dwar, Raipur, District Raipur Chhattisgarh
3. Vijay Gond, S/o Gotia Gond, Aged About 22 Years R/o Village Rakhi, Naya Raipur, Tahsil And District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Smt. Hamida Siddiqui, Advocate
For State	:	Shri Subhash Yadav, Dy.G.A.
For res.No.2/ NRDA	:	Shri Praveen Das, Advocate
For respondent No.3.	:	Shri Sameer Uraon, Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03/05/2019

Heard.

This review petition has been filed by the petitioner seeking review and recall of order dated 27/07/2015 in so far as it decides WPC No.26/2015 (*Vijay Gond v. State of Chhattisgarh and ors.*) on the ground that the review petitioner was not served with the notices of the Court.

2. This Court has gone through the records of the writ petition and it is found that notice issued by this Court was served on the wife of the review petitioner by the process server and after putting the service report, the same was returned to the Registry of the High Court.

In the review petition, except bald assertion that no notice has been served, no statement has been made nor any specific affidavit that on the date when the process server had come, even the wife of the review petitioner was not at home or she has not received any notice. Therefore, the ground on which the review is sought, is untenable in law.

3. It is submitted by learned counsel for the petitioner that even if review petitioner could not appear, the writ petitioner was not entitled to any relief because the order of so called allotment was merely a survey document. There was no allotment of house No.D-400.

4. In the return filed by the NRDA before this Court, no statement was made nor allotment letter dated 27/03/2010 issued in favour of the writ petitioner was disputed. Therefore, in the garb of review petition, the review petitioner now seeks to raise an issue of disputed facts which is not permissible. The review petition is accordingly dismissed.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge