

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 112 of 2018

The Municipal Corporation, Bhilai Through The Commissioner,
Municipal Corporation, Bhilai, District Durg, Chhattisgarh

--- Applicant

Versus

1. M/s Ravi Shankar Tripathi, Proprietorship Firm, Through Its Proprietor, Ravi Shankar Tripathi S/o Late G.K. Tripathi, Aged About 45 Years, Civil Contractor A Class, R/o H-2/11, Narmada Nagar, Bilaspur, Chhattisgarh
2. State Of Chhattisgarh, Through The Special Secretary, Urban Administration And Development Department, Naya Raipur, District- Raipur, Chhattisgarh (Now Atal Nagar, Raipur, Chhattisgarh)
3. Rajya Shahri Vikas Abhikaran, Through The CEO, Naya Raipur District- Raipur, Chhattisgarh (Now Atal Nagar, Raipur, Chhattisgarh)

---Non-Applicants

For Applicant	:	Mr. Sushobhit Singh, Advocate
For Respondent No.1	:	Mr. S.S. Baghel, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Mr. Justice P. Sam Koshy

Hon'ble Mr. Justice Sharad Kumar Gupta

Judgment on Board by Justice P. Sam Koshy

24/01/2019

1. Having heard the counsel for the parties, this Court is of the opinion that no strong case under the review jurisdiction has been made out.
2. It is settled position of law that under the review jurisdiction only an error apparent on the face of record is, what could be considered by this Court.
3. The contentions all of which raised by the applicant in the review petition, are not one, which could be taken into consideration by exercising of review jurisdiction by this Court.

4. It is trite at this juncture to refer to certain decisions rendered by the Hon'ble Supreme Court on the question of entertaining the review petition in the matter of "**Kerala State Electricity Board v. Hitech Electrothermicism & Hydropower Ltd. and others**" reported in (2005) 2 SCC 332, "**Ajit Kumar Rath v. State of Orissa and others**" reported in AIR 2000 SC 85, "**Lily Thomas etc. v. Union Bank of India and others**" reported in AIR 2000 SC 1650 and "**Meera Bhanjan v. Smt. Nirmal Kumar Chowdhary**" reported in AIR 1995 SC 455.
5. All these judgments referred to above deals with the scope of a review petition and the crux of all these judgments, as a matter of principle as laid down by the Hon'ble Supreme Court is that in the grab of a review petition, the petitioner cannot be permitted to argue the entire case afresh which would amount to converting the review petition into an appeal unless there is an error on the face of the record and on the part of the Court in the passing of the judgment against which the review is sought for.
6. The review petition accordingly stands dismissed.

Sd/-
(P. Sam Koshy)
JUDGE

Sd/-
(Sharad Kumar Gupta)
JUDGE