

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 209 of 2019**

- D.P.Sharaf (Petitioner In Person) S/o Late Shri Khatanand Sharaf Aged About 48 Years Present R/o Quarter No. 22, 15 Block S.E.C.L. Colony, Korba Chhattisgarh Mob No. 9826520901, District : Korba, Chhattisgarh

---- Petitioner

Versus

1. Bharat Petroleum Corporation Limited Bhawan 4 And 6 Bellad Estate, Kareem Bhai Road, Mumbai (Maharashtra) 400001, District : Mumbai, Maharashtra
2. Khatanand (Dead) Hetu Vidhik Varis Smt. Aasha Saraf, W/o Dharam Prakash Saraf, Aged About 49 Years R/o Quarter No. E/22, 15 Block Colony, S E C L Korba Tahsil And District Korba Chhattisgarh.
3. Satyaprakash Saraf S/o Late Khatanand Sharaf Aged About 35 Years Present Address- Quarter No. E/22, 15 Block Colony, Korba, District Korba Chhattisgarh.

---- Respondents

Application for review of the judgment dated 5-8-2019 passed inCivil Revision No. 19 of 2019**By circulation in Chamber****S.B.: Hon'ble Mr. Justice Ram Prasanna Sharma****6-11-2019**

1. The matter is taken up for consideration in the chamber under provisions of sub-rule (2) of Rule 90 under Chapter VI of the High Court of Chhattisgarh Rules, 2007.
2. I.A.No.1 of 2019 has been filed for condonation of delay in filing the instant review petition.

3. For the reasons stated in the application, the same is allowed and delay of 15 days in filing the review petition is condoned.
4. By this review petition, the review petitioner seeks review of the order dated 5-8-2019 passed by this Court in Civil Revision No. 19 of 2019 on the ground mentioned in the petition.
5. After going through the record of the Civil Revision No. 19 of 2019 it is manifest that after appreciating all the facts and legal aspect of the matter, this Court has disposed of the revision on merit.
6. 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 applicant.
7. It is well settled principles of law that the review proceedings are not by way of an appeal / revision 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.

8. Accordingly, the instant civil revision being devoid of merit is liable to be and is hereby dismissed.

Sd/-
(Ram Prasanna Sharma)
Judge

Raju