

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 222 of 2018**

- Smt. Leela Agrawal W/o Late Gopal Prasad Agrawal Aged About 50 Years R/o Kali Mandir Road, Near Bus Stand, Manendragarh, Police Station and Tahsil Manendragarh, Civil And Revenue District Korea, Chhattisgarh

---- Petitioner**Versus**

1. Smt. Sarkar W/o Satyabhushan Sarkar Aged About 65 Years R/o Ward No. 1, Manendragarh, Police Station And Tahsil Manendragarh, Civil And Revenue District Korea, (Baikunthpur), Chhattisgarh
2. State Of Chhattisgarh Korea, District Korea, Chhattisgarh. (Wrongly Mention District Baikunthpur)

---- RespondentsApplication for review of the judgment dated 6-9-2018 passed inFirst Appeal N. 28 of 2004**By circulation in Chamber****S.B.: Hon'ble Mr. Justice Ram Prasanna Sharma****30-01-2019**IA No.01

1. This is an application for condonation of delay in filing the review petition.
2. For the reasons mentioned in the application (IA No.01), the same is allowed and the delay of 32 days in filing the review petition is condoned.

3. 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.
4. By this review petition, the review petitioner seeks review of the judgment dated 6-9-2018 passed by this Court in First Appeal N.o. 28 of 2004.
5. After going through the record of the First Appeal No. 28 of 2004 it is manifest that after appreciating all the facts and legal aspect of the matter, this Court has disposed of the appeal/
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 petitioner.
7. 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. It also appears that the petitioner by presentation of this review petition seeks liberty to argue the entire case afresh on merit which is not permissible and tenable in law. (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 Kerla State Electricity Board v. Hitech Electrothermicism & Hydropower Ltd. and others, (2005) 6 SCC 651.

8. As a sequel, the review petition, *sans substratum* is liable to be and is hereby dismissed.

Sd/-

(Ram Prasanna Sharma)

Judge

Raju