

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 37 of 2017

P. Dayanand S/o Shri Ram Bachan Pandey, Aged About 41 Years Collector
Korba, Chhattisgarh, Chhattisgarh

---- Applicant

Versus

Tankeshwar Kumar Sonikar (Bharia) S/o Shri Ram Dayal, Aged About 50
Years R/o Rangole, Tahsil Katghora, District Korba, Chhattisgarh,
Chhattisgarh

---- Respondent

For Applicant : Shri Prafull Bharat, Advocate

For Respondent : Shri Shailendra Dubey, Advocate

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

Order On Board

09/03/2020

1. This review petition has been filed seeking review and recall of order dated 02.02.2017 passed in Contempt Case No.62 of 2017 on the basis that even the writ petitioner was found to be "Bharia", he being not a primitive tribe was not entitled to benefit of appointment as reserved category candidate.
2. The ground which is being raised for review is essentially an argument against the order dated 20.4.2010 passed in Writ Petition (S) No.3457 of 2005 filed by the writ petitioner. The contempt petition was disposed off in view of order passed in the writ petition.
3. In this review petition, seeking to recall the order passed in the contempt case, this Court cannot go behind its own order in the writ petition. Therefore, review petition is dismissed as misconceived.

4. It would be open for the petitioner to take such remedy as may be available to him under the law against the order passed in writ petition including review.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen