

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Review Petition No. 140 of 2020**

Purushottam Singh Son Of Shri Swarup Singh, Aged About 44 Years,
 Profession - Driver, R/o Village- Chhergarh, P.O. Dudujiya, P.S. Mouk,
 Distt. Rangrur (Panjab) At Present- Bhagwanpur, Tah. And Distt.
 Raigarh, Civil And Revenue Distt, Raigarh (Chhattisgarh)

---- Petitioner**Versus**

1. Kamal Singh Rathiya S/o Shri Amrud Singh Rathiya, Aged About 25 Years, R/o Village- Chandrashekharapur (Aidu), P.S. Chhal, Tah. Dharamjaigarh, Distt. Raigarh (Chhattisgarh)
2. Smt. Meghadevi Bhardwaj W/o Shri Pyari Bhardwaj, Aged About 41 Years, R/o Village- Aidu Colony, House No. 58, Po- Aidu, P.S. Chhal, Tah. Dharamjaigarh, Distt. Raigarh (Chhattisgarh)
3. The Cholamandam M.S. General Insurance Company Limited, Through Branch Manager, Officer- Simran Tower, 2nd Floor, In Front Of LIC Building, Pandari, Raipur, Distt. Raipur (Chhattisgarh)

---- Respondents

For Petitioner : Mr. Manoj Kumar Sinha, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.11.2020**

1. The present review petition has been filed seeking review of the order dated 20.02.2018 passed by this Court in MAC No. 305 of 2018.
2. The Motor Accident Claims Tribunal had passed an award in favour of the claimant as early as on 11.04.2017 awarding an amount of

Rs.6,75,285/- along with interest @ 6 percent per annum from the date of application. Against the said award, the present petitioner had preferred an appeal i.e. MAC 305/2018 before this Court. However, this Court had dismissed the appeal at the first instance on the admission stage itself on 20.02.2018. The review petition now has been filed after more than 2 ½ years period.

3. The ground raised by the petitioner seeking review is that the appeal was dismissed at the admission stage without calling for the records of the Tribunal and the calling of which was necessary for perusal of the records which would have changed the view of the Court.
4. At the outset, this Court is of the opinion that the ground raised by the petitioner would not be sustainable for exercising the power of review by this Court. So far as the review is concerned, it is settled position of law that the review would be permissible only in the event of there being an error apparent on the face of the record. The grounds and facts raised by the petitioner in the present review petition do not reflect any error on the face of the records.
5. The review petition therefore being devoid of merits deserves to be and is accordingly dismissed.

**Sd/-
P. Sam Koshy
Judge**