

HIGH COURT OF CHHATTISGARH, BILASPUR

Rev.P. No.115 of 2021

- Rakesh Kumar Pande S/o Shri Ishwar Pande Aged About 35 Years
Resident Of Village Bodari, Tahsil Bilha, District Bilaspur Chhattisgarh

---- Petitioners

Versus

1. Vijay Kumar Soni S/o Shri R.K. Soni Aged About 27 Years
2. Pankaj Kumar Soni S/o Shri R.K. Soni Aged About 24 Years
3. Ritu Raj Soni S/o Shri R.K. Soni Aged About 22 Years
(All are Resident Of Village Mudhipar, Tahsil Bilha, District Bilaspur Chhattisgarh)
4. Sanjay Kumar Sahu S/o Shri Sumant Lal Sahu Aged About 33 Years
Resident Of Village Basha, Tahsil Masturi, District Bilaspur Chhattisgarh.
5. State Of Chhattisgarh Through Collector, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner : Mr. Anoop Kumar Sharma, Advocate.

For respondent No.05 : Mr. Sameer Oraon, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21/09/2021

1. By this petition, the petitioner seeks the review of the order dated 27.02.2020 passed in W.P.(227) No.233 of 2020.
2. Heard the learned counsel for the petitioner.
3. By the previous order dated 27.02.2020 in W.P.(227) No.233 of 2020, this Court has ordered for termination of the execution proceeding for the reason that the execution case, which was initiated on the basis of the exparte decree, that exparte decree has been set aside vide order dated

25.09.2019 in M.J.C. No.165/2019. The ground raised in this review petition that the order dated 25.09.2019 in the M.J.C. has not come into force as the cost imposed has not been paid. The cost imposed in this order can be recovered by the learned trial Court before proceeding in the Civil Suit which has been restored. This does not implied that the execution proceeding initiated has any validity in its continuation, therefore, I do not find any substance in this review petition which is dismissed at the motion stage.

4. Accordingly, the petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika