CGHC010357992026 2026:CGHC:44962

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VISHAKHA BEOHAR

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HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 331 of 2026

1 - Gourella Sahakari Vipnan (Marketing) Sanstha Samiti, Maryadit (Limited) Pendra Road, District Gourella - Pendra - Marwahi (C.G.) Through - Its Manager / Secretary Dhara Singh Rathore S/o Shri Mathura Prasad Rathore, Aged About 50 Years, R/o Ward No. 15, Samta Nagar, Nagar Panchayat Gourella, District Gourella - Pendra - Marwahi (C.G.) **... Applicant**

versus

1 - State Of Chhattisgarh Through - The Secretary, Department Of Food, Civil Supplies And Consumer Protection, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District - Raipur (C.G.)

2 - The Director Of Food Civil Supplies And Consumer Protection, Block 2, 3rd Floor, Indrawati Bhawan, Mantralaya, Atal Nagar, Raipur, District - Raipur (C.G.)

3 - The Collector (Food) Collectorate Office District - Gourella - Pendra - Marwahi (C.G.)

4 - The Commissioner Civil Supplies And Consumer Protection Department, Directorate Civil Supplies And Consumer Protection Block-2, 3rd Floor, Indrawati Bhawan, Mantralaya, Atal Nagar, Raipur, District - Raipur (C.G.)

5 - Food Controller District - Gourella - Pendra - Marwahi (C.G.)

6 - The Sub Divisional Officer (Revenue) Pendra Road, District - Gourella - Pendra - Marwahi (C.G.)

7 - Food Officer District - Gourella - Pendra - Marwahi (C.G.)

... Respondents

(Cause-title taken from the Case Information System)

For Applicant :- Mr. A.S. Rajput, Advocate

For State :- Mr. Shobhit Mishra, Dy. G.A.

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

26.10.2026

1. The present review petition has been filed under Rule 90 of the High Court of Chhattisgarh Rules, 2007, read with Section 152 and Order XLVII Rule 1 of the Code of Civil Procedure, 1908, seeking review of the order dated 14.05.2026 passed by this Court in W.P.(C) No. 2383/2023, whereby the writ petition filed by the applicant was dismissed.

2. The applicant is a cooperative society registered under the Chhattisgarh Co-operative Societies Act, 1960, and has been operating fair price shops in the district of Gourella-Pendra-Marwahi. The applicant had challenged the advertisements dated 12.05.2023, 21.07.2022 and 17.02.2023 issued by the concerned authorities for allotment of certain fair price shops to other societies/committees.

3. While dismissing the writ petition by order dated 14.05.2026, this Court, inter alia, observed that the material on record indicated that the applicant had been informed about the excess number of fair price shops being operated by it and had been afforded an opportunity to exercise its option to retain shops within the permissible limit. This Court also took note of the alternative

statutory remedy of appeal provided under Clause 18 of the Chhattisgarh Public Distribution System (Control) Order, 2016, and held that the applicant had approached this Court without availing the said remedy.

4. Learned counsel for the applicant submits that there was no document on record to establish that the applicant had been informed about the alleged excess number of fair price shops or had been granted an opportunity to exercise its option to retain shops within the permissible limit. It is further submitted that the applicant had challenged the advertisements inviting applications for allotment of fair price shops already being operated by it and that Clause 18 of the Control Order, 2016, which provides for an appeal against specified orders of the designated officer, was not applicable to the facts of the case. On these grounds, the applicant seeks review of the order dated 14.05.2026.

5. It is further pointed out that the applicant had preferred Writ Appeal No. 714/2026 against the aforesaid order, which was dismissed by the Division Bench on 13.08.2026, with liberty to the applicant to approach the learned Single Judge for redressal of its grievance in appropriate proceedings.

6. I have heard learned counsel for the applicant and perused the review petition, the documents placed on record and the grounds urged in support thereof.

7. The scope of review jurisdiction is extremely limited. Review jurisdiction cannot be exercised merely because a party is of the view that the findings recorded by the Court are erroneous or that another view is possible. An error apparent on the face of the record must be one which is self-evident and does not require a process of elaborate reasoning, re-appreciation of evidence or re-argument on the merits of the matter. The power of review cannot be converted into an appellate jurisdiction for correcting every alleged error or for substituting one possible view by another.

8. The Hon'ble Supreme Court, in a catena of decisions, including ***Devaraju Pillai v. Sellayya Pillai, (1987) 1 SCC 61; Meera Bhanja (Smt.) v. Nirmala Kumari Choudhury (Smt.), (1995) 1 SCC 170; Avijit Tea Co. Pvt. Ltd. v. Terai Tea Co. and others, (1996) 10 SCC 174; Lily Thomas etc. v. Union of India and others, AIR 2000 SC 1650; Akhilesh Yadav v. Vishwanath Chaturvedi and others, (2013) 2 SCC 1; and Sasi (D) through LRS. v. Aravindakshan Nair and others, (2017) 4 SCC 692***, has reiterated the settled parameters governing exercise of review jurisdiction and has held that review cannot be sought for re-hearing or re-appreciation of the matter as an appellate court.

9. Tested on the aforesaid parameters, this Court finds that none of the grounds raised by the petitioner discloses any error apparent on the face of the record in the order dated 14.05.2026. The dismissal of Writ Appeal No. 714/2026 by the Division Bench, with liberty to the applicant to approach the learned Single Judge in

appropriate proceedings, does not, by itself, establish any ground for review of the order dated 14.05.2026. The said liberty merely enables the applicant to pursue such remedy as may be permissible in law. It does not dispense with the statutory requirements governing review jurisdiction or entitle the applicant to a reconsideration of the judgment on grounds that were, or could have been, urged in the original proceedings.

10. In view of the foregoing discussion, this Court finds that the applicant has failed to make out any ground for review of the order dated 14.05.2026 within the parameters of Order XLVII Rule 1 of the Code of Civil Procedure, 1908. No error apparent on the face of the record, discovery of any new and important matter or evidence, or other sufficient reason warranting exercise of the review jurisdiction has been established. Consequently, no ground is made out for reviewing or recalling the order under challenge. The review petition, therefore, deserves to be and is hereby **dismissed.**

11. No order as to costs.

sd/-
(Amitendra Kishore Prasad)
Judge

Vishakha