AMITA DUBEY

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HIGH COURT OF CHHATTISGARH AT BILASPUR

CR No. 225 of 2026

Swami Traders Through Its Director - Murlidhar Makhija Swami Traders Operated By Aadhar Card Holder - Mukesh Makhija, R/o Smile Ward District - Bhatapara, Balodabazar (C.G.)

... Petitioner

versus

Smt. Brihaspati Gada W/o Manoj Kumar Gada Aged About 30 Years Aadhar No. 567633256467, R/o Village - Turma, Tehsil - Bhatapara, District - Balodabazar, (C.G.)

... Respondent

For Applicant	:	Ms. Sharmila Singhai, Senior Advocate assisted by Ms. Kanchan Kalwani, Advocate
For Respondent	:	Mr. Nishant Bashak, Advocate

SB: Hon'ble Shri Sachin Singh Rajput Judge

Order on Board

02/11/2026

1. This Civil Revision has been filed against the order dated 18.09.2026 passed by the learned Court of Additional Charge Labour Judge, Baloda-Bazar, (C.G.) by which an application filed under Order 7 Rule 11 of Civil Procedure Code,1908 (in short “CPC”) filed by the applicant was rejected.

2. Registry has pointed out a defect that the Civil Revision under Section 115 of CPC may not be maintainable.

3. Ms. Singhai, learned Senior Advocate appearing on behalf of the applicant, has drawn the attention of this Court to the Full Bench decision of the High Court of **Madhya Pradesh in *Yeshwant Rao v. Sampat*,** reported in **1978 SCC OnLine MP 73,** wherein it has been held that order of Commissioner deciding dispute under Section 19(2) of the Workmen's Compensation Act is not revisable under Section 115 of the CPC. Therefore, she seeks permission of this Court to withdraw the present Civil Revision with a liberty to avail appropriate remedy available to the applicant under the law.

4. Learned counsel for the respondent has no objection to the submission made by learned counsel for the applicant.

5. Considering the submission made by learned counsel for the applicant the present Civil Revision is dismissed as withdrawn with the aforesaid liberty.

6. Certified copy of the impugned order (Annexure A/1) be returned back after retaining photocopy of the same.

Sd/-
(Sachin Singh Rajput)
Judge

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