



CGHC010295912026



2026:CGHC:41617

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 321 of 2026

Bhojram S/o Late Sonuram Sahu Aged About 50 Years R/o Village
Patharia Tehsil Dhamdha, District Durg C. G.

... **Petitioner(s)**

versus

1 - General Manager Associated Cement Company Jamul Bhilai 1,
Thesil And District Durg C. G.

2 - State Of Chhattisgarh Through- District Collector Durg C. G.

3 - Mining Officer Durg Tehsil And District Durg C. G. (Particular Of The
Parties Not Properly Mentioned In Cause Title, Of Impugned Judgment
And Dicree)

... **Respondent(s)**

(Cause title taken from CIS)

Hon'ble Shri Bibhu Datta Guru, Judge

By circulation in chamber

24.09.2026

1. The matter is taken up for consideration in Chamber under the provisions of sub-rule (2) of Rule 90 under Chapter VI of the High Court of Chhattisgarh Rules, 2007.
2. The present Review Petition has been preferred seeking review of the judgment dated 27.03.2026 passed by this Court in Second Appeal No. 502/2023, whereby the Second Appeal preferred by the petitioner/appellant/plaintiff was dismissed and the concurrent judgment and decree of the trial Court as well as the appellate Court were affirmed.
3. The instant review petition has been filed merely on the ground that the petitioner had pleaded that he acquired knowledge of the sale deed and the alleged irregularities only upon obtaining documents under the Right to Information Act. Further ground of the petitioner is that the question of limitation was a mixed question of law and fact and could not have been decided at the stage of consideration of an application under Order VII Rule 11(d) of the CPC. According to the petitioner, he had pleaded fraud, unauthorized execution of the sale deed and continuation of illegal possession after expiry of the alleged lease period, giving rise to a continuing cause of action. Thus, substantial question of law is made out in the second appeal, which is under review.

4. The scope of review jurisdiction is limited. A review cannot be sought merely for re-hearing or re-appreciation of the issues which have already been considered and adjudicated upon. Unless the petitioner demonstrates an error apparent on the face of the record, discovery of new and important matter or evidence which, despite due diligence, was not within his knowledge, or any other sufficient reason, interference in review jurisdiction is not warranted.
5. In the present case, the grounds raised by the review petitioner essentially seek reconsideration of the very issues which were canvassed before this Court in the Second Appeal and were duly argued by Shri Avinash Chand Sahu, Advocate, along with Ms. Priyanshi Dubey, Advocate, appearing on behalf of the appellant, who is the review petitioner herein. The judgment under review was passed in the presence of both the aforesaid counsel and after hearing them at length. However, in the present review petition, Shri Anurag Verma, Advocate, has appeared on behalf of the review petitioner. There is no satisfactory explanation on record for the change in representation. The review petitioner has failed to establish any manifest error apparent on the face of the record warranting interference with the judgment under review.

6. It is also noteworthy that the present review petition is barred by limitation. Though the petitioner has filed an application, being I.A. No. 01/2026, seeking condonation of delay of 92 days, no plausible or satisfactory explanation has been offered therein for the delay. Consequently, the delay in filing the present review petition has not been satisfactorily explained.
7. Be that as it may, the Scope of the review jurisdiction is narrow confined to errors apparent on the face of the record or if a relevant provision of law had been overlooked. In other words, it is only a patent error which is amenable to review and not an error which may have to be discovered by a process of reasoning and what may be called a virtual re-hearing of the matter. In the garb of a Review Petition, this Court cannot sit in judgment over its own order. Therefore I am not satisfied that the Review application is maintainable, if the petitioner is aggrieved, the remedy is different.
8. It is well settled that scope of review jurisdiction is extremely limited and only an error apparent on face of record can be corrected in the said jurisdiction and re-appraisal/re-appreciation cannot be done in exercise of said jurisdiction as that would amount to exercise of appellate jurisdiction which is impermissible in law as has been held in catena of judgments by

the Hon'ble Apex Court, such as **Devaraju Pillai v. Sellayya Pillai**, reported in **(1987) 1 SCC 61**, **Meera Bhanja (Smt) v. Nirmala Kumari Choudhury (Smt)**, reported in **(1995) 1 SCC 170**, **Avijit Tea Co. Pvt. Ltd. v. Terai Tea Co. and others**, reported in **(1996) 10 SCC 174**, **Lily Thomas etc. v. Union of India and others**, reported in **AIR 2000 SC 1650**, **Akhilesh Yavad v. Vishwanath Chaturvedi and others**, reported in **(2013) 2 SCC 1** and **Sasi (D) through LRS. v. Aravindakshan Nair and others**, reported in **(2017) 4 SCC 692**).

9. The ground raised by the review petitioner in this review petition cannot be permitted to be raised in review petition. Even otherwise, there is no error apparent on the face of record in the order under review warranting invocation of review jurisdiction.

10. As an upshot, the review petition is dismissed.

Sd/-

(Bibhu Datta Guru)
Judge

Shoaib