

(2025) 07 CHH CK 0423
In the Chhattisgarh High Court
Case No : REVP No. 184 of 2025

Manish Travels

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 22-07-2025

Acts Referred:

High Court of Chhattisgarh Rules, 2007 — Rule 90(2)

Citation : (2025) 07 CHH CK 0423

Hon'ble Judges : Bibhu Datta Guru, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Bibhu Datta Guru, J

1. The review petitioner (respondent No.3 in WPC) seeks review of the order dated 31/01/2025 passed in WPC No.6267/2024.
2. The matter is taken up for consideration in the chamber under provisions of sub-rule (2) of Rule 90 under Chapter VI of the High Court of Chhattisgarh Rules, 2007.
3. The main ground urged in the review petition is that the writ petitioner filed the writ petition on the basis of incorrect facts that the review petitioner has not applied for the same route, for which, the writ petitioner has applied. According to the review petitioner, he has already moved the application before the RTA, Raipur prior to the writ petitioner and the objection made by the review petitioner with regard to not following the statutory provisions. The review petitioner also contended that he is having the permit of the same route which is granted to him on the same day in which, the writ petitioner has been granted on 06/10/2023, but the writ petitioner concealed the said fact before this Court and obtained the order under review by placing incorrect submissions.
4. Perused the review petition as also the order under review dated 31/01/2025

passed in WPC No.6267/2024.

5. From bare perusal of the order dated 31/01/2025, which is sought to be reviewed herein, it is manifest that the said writ petition was duly contested by the respondent No.3 through its counsel. This Court after considering the entire facts and circumstances of the case in its true perspective has passed the detailed and reasoned order by observing as under:-

"5. It is not in dispute that respondent No.3 was neither the co-applicant to the route for which the permit was applied by the petitioner nor he was route operator of the same.

6. It is apparent that the petitioner has raised his objection to the locus of respondent No. 3 before the Revisional Court, but without considering the said objection with respect to the locus of respondent No.3, the STAT proceeded in the matter and allowed the revision filed by respondent No.3.

7. From perusal of the writ petition, it is quite vivid that the respondent No.3 was not an applicant to the route for which the petitioner had applied for permit. Even, he is not having any permit on the same route and he is only having a license and permit to operate school bus, hence, he has no locus to challenge the permit issued to the petitioner. Therefore, in the opinion of this Court, the learned STAT has committed gross illegality while entertaining the revision filed by the respondent No.3 who has no locus to challenge the permit issued to the petitioner for the route from Balod to Rajnandgaon via Lohara, Devir.

8. Accordingly, the impugned order dated 26/11/2024 (Annexure-P/1) is quashed. The order dated 06/10/2023 (Annexure-P/2) passed by the RTA while granting permit to the petitioner is maintained.

9.The writ petition is allowed to the extent indicated above."

6. 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.

7. 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).

8. 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.

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