

8 (1)
C.F. 18/1-

IN THE HON'BLE HIGH COURT OF CHHATTISGARH

AT BILASPUR

Review Petition No. 08 of 2009

Single Bench

In W.P.(S) No. 6998/2008

APPLICANT

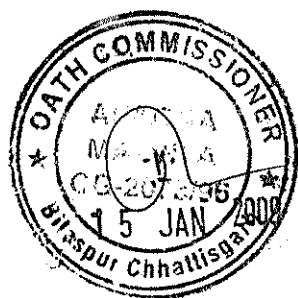
Smt. Rambai Dansena, W/o
Shailendra Dansena, aged about 30
years, R/o Village Sahajpali, Tahsil
Baramkela, District-Raigarh (C.G.).
(Respondent No. 6 in W.P.(S) No.
6998/08)

R.R. No. 183/09
Presented by Sri B.D. Baidya
Dated 16/01/09

VERSUS

NON-APPLICANTS

1. State of Chhattisgarh
Through : Secretary,
Office of Women & Child Welfare
Development, D.K.S. Bhawan,
Raipur (C.G.)
2. Director Panchayat Raipur (C.G.)
3. The Collector Raigarh District-
Raigarh (C.G.)
4. Chief Executive Officer, Janpad
Panchayat Baramkela, District-
Raigarh (C.G.)
5. Sarpanch, Gram Panchayat
Kanthipali, Tahsil-Baramkela,
District-Raigarh (C.G.)
6. Smt. Safed Sidar, W/o Shravan
Sidar, aged about 24 years, R/o
Village-Sahajipali, Baramkela,
District-Raigarh (C.G.) (Petitioner in
W.P. (S) No. 6998/08)

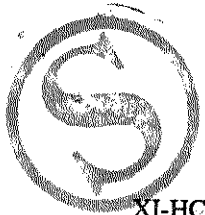


RECEIVED-COPY
16/01/09
Clerk to A.G. BILASPUR

B-D. Baidya

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p align="center">S.B. HON'BLE SHRI DHIRENDRA MISHRA, J</p> <p align="center">REVIEW PETITION NO. 08 OF 2009</p>	
	<p><u>Applicant</u></p>	<p>Smt. Rambai Dansena, W/o Shailendra Dansena, aged about 30 years, R/o Village Sahajpali, Tahsil Baramkela, District-Raigarh (CG)</p> <p>(Respondent No.6 in W.P.(s) No.6998/08)</p>
	<p><u>Non-applicants</u></p>	<p><u>Versus</u></p> <ol style="list-style-type: none"> 1. State of Chhattisgarh, Through Secretary, Office of Women & Child Welfare Development, DKS Bhawan, Raipur (CG) 2. Director, Panchayat Raipur (CG) 3. The Collector, Raigarh, District Raigarh (CG) 4. Chief Executive Officer, Janpad Panchayat Baramkela, District Raigarh (CG) 5. Sarpanch, Gram Panchayat, Kanthipali, Tahsil Baramkela, District Raigarh (CG) 6. Smt. Safed Sidar, W/o Shravan Sidar, aged about 24 years, R/o Village Sahajipali, Baramkela, District Raigarh (CG) (Petitioner in W.P.(s) No.6998/08)
	<p><u>Chamber Proceedings: 28.02.2009</u></p> <ol style="list-style-type: none"> 1) The applicant has filed the instant application for review of the order dated 15th December, 2008 passed in WP(s) 	



XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश 2	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>No.6998/08 (Annexure P/1), whereby the petition filed by the respondent No.6 Smt. Safed Sidar has been allowed and the order dated 22.9.2008 passed by the Additional Collector, Raigarh appointing Smt. Safed Sidar as Aanganbadi worker of Village-Sahajpali, Gram Panchayat-Kanthipali, has been restored.</p> <p>2) This petition has been filed on the ground that Smt. Safed Sidar was not the resident of Village-Sahajpali as her name has not been included in the voter list of Gram Panchayat at the time of appointment and she did not produce sufficient evidence about her marriage with Shravan as she did not produce registration certificate of marriage.</p> <p>3) It is settled law that a tribunal or Court may recall an order earlier made by it if (i) the proceeding culminating in the order suffers from inherent lack of jurisdiction, which is patent, (ii) fraud or collusion has been used to obtain the judgment; (iii) there has been a mistake by the Court prejudicing a party; or (iv) a judgment has been rendered in ignorance of the fact</p>	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक

सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>that a necessary party has not been served at all or had died and the State was not represented.</p> <p>4) Non-inclusion of name of Smt. Safed Sidar in the voter list has already been considered while passing the order under review. The Additional Collector, Raigarh, on the basis of evidence available on record, has rightly inferred that the petitioner was married to a person resident of Village-Sahajpali, therefore, on facts, as detailed above, there is no ground available to the petitioner for review/recall of the order dated 15th December, 2008. The petition is, accordingly, dismissed.</p>	<p>Sd/- Dhirendra Mishra Judge</p>