



Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

REVIEW PETITION NO. 158 /2012

(Arising out of order dated 05.09.2011, passed in W.P.(S) No.5155 of 2011 by the learned Single Bench of this Hon'ble Court)

APPLICANT

P. No. 158/12
Presented by Shri. Basant Devarang
dated 6/9/12

Ashok Kumar Verma,
S/o.- K.R. Verma, Aged about
35 years, C/o.- Aditya
Narayan Verma, Arya Nagar,
Kohaka Bhilai, Sirsa Road,
District Durg (C.G.)

VERSUS

RESPONDENTS

- 1) State of Chhattisgarh
Through – Secretary
Health Department
D.K.S. Bhawan, Mantralaya
Raipur (C.G.)
- 2) Chief Medical and Health
Officer, Durg District Durg
(C.G.)
- 3) District Tuberculosis Officer
Durg, District Durg (C.G.)



APPLICATION FOR REVIEW OF ORDER DTD. 05.09.2011
PASSED IN W.P.(S) No.5155/2011



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HIGH COURT OF CHHATTISGARH : BILASPUR

REVIEW PETITION NO. 158/ 2012

APPLICANT

Ashok Kumar Verma

Versus

RESPONDENTS

Sate of Chhattisgarh & Others

(Application for Review of Order Dtd. 05.09.2011 Passed in
W.P.(S) No.5155/2011)

Single Bench : Hon'ble Shri Satish K. Agnihotri, J.

Present :- Shri Anup Majumdar, Advocate for the applicant.

Shri Pankaj Shrivastava, Panel Lawyer for the State.

ORDER

(Passed on this 31st day of October, 2012)

I.A.No.1

1. This is an application for condonation of delay of 334 days in filing the review petition.
2. Learned counsel appearing for the applicant submits that the applicant sought certain information under Right to Information Act, 2005, before the competent authority, which was supplied to him on 08.08.2012 & 16.08.2012, whereby, it was informed to the applicant that there is no provision for transfer or attachment of the employees under the Revised National Tuberculosis Control Programme and after receiving the information, the present review petition is being filed. Hence, the delay in filing the review petition is bonafide in nature, the same may be condoned and the review petition may be considered.
3. A Division Bench of this Court, in *A.Srinivas Rao & Others v. Union of India & Others*¹, while deciding a similar issue, observed as under:

"9. Law helps the diligent not indolent person' is often quoted and reiterated principle to highlight the rationale behind the law of limitation. There is no need for us to add cause law in that regard. Law reports contain abundant instances. Although it is said that a person who approaches Tribunal/Forum after the limitation prescribed by the statute has to explain each day's delay to the satisfaction of the Court or Tribunal, as the case

¹ 2006(3) CGLJ 528



may be, even practicing liberalism in the peculiar facts and circumstances of this case, we do not find any explanation much satisfactory explanation to constitute a 'sufficient cause' to condone the enormous delay of 4 year 3 months and 3 days...."

4. This Court, in *Chain Singh Pendre v. State of Chhattisgarh & Others*², relying on decisions of the Supreme Court, in *S.S.Rathore v. State of Madhya Pradesh*, *C.Jacob v. Director of Geology & Mining & Anr.*, *R.N.Bose v. Union of India*, *State of M.P. v. Nandlal*, *U.P.Jai Nigam & another v. Jashwant Singh & another*, *State of Punjab & another v. Balkaran Singh*, *Tridip Kumar Dingal & Others v. State of West Bengal & Others*, *Yunus (Baboobhai) A. Hamid Padvekar v. State of Maharashtra*, held that no relief can be given to a person who without any reasonable explanation approaches the Court after inordinate delay.

5. The applicant herein has not offered any satisfactory explanation for such an inordinate delay of 334 days.

6. In view of the foregoing and for the reasons stated hereinabove, the application for condonation of delay is rejected. Consequently, the review petition also stands dismissed.

Sd/-
Satish K. Agnihotri
Judge

ashok

² 2009(2) CGLJ 377