



2026:CGHC:23703



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 155 of 2026

Amrapali Sahakari Grih Nirman Sanstha Maryadit, Raipur A Registered Housing Cooperative Society Under C.G. Cooperative Societies Act, Through Its President, Indra Nath Singh, Aged About 73 Years, S/o Late Shri Chandra Bali Singh, R/o A/27, Amrapali Sahakari Grih Nirman Sanstha Maryadit, Pachpedi Naka, Raipur, District Raipur (C.G.)

... Applicant.

Versus

- 1 - State Of Chhattisgarh Through The Secretary, Department Of Cooperative Societies, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur, District Raipur C.G.
- 2 - Registrar Cooperative Societies Department Raipur, District Raipur, C.G.
- 3 - Commissioner/secretary Chhattisgarh State Co-Operative Election Commission And State Co-Operative Societies Department, Raipur District Raipur C.G.
- 4 - Deputy Commissioner Co-Operative Societies Department, Raipur, District Raipur C.G.
- 5 - Joint Registrar Co-Operative Societies Department, Raipur, District Raipur C.G.
- 6 - Deputy Registrar Co-Operative Societies Department, Raipur, District Raipur C.G.

... Respondents.

(cause title downloaded from CIS Periphery)

For Applicant	:	Mr. Saket Pandey, Advocate.
For Respondents	:	Mr. Anish Tiwari, Dy. GA.



(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

15/06/2026

1. Heard.
2. This Review Petition has been filed by the applicant seeking recall/modification/review of the order dated 12.02.2026 passed by this Court in WPC No.606/2026.
3. For the ready reference the relevant portion of the impugned order dated 12.02.2026 is reproduced hereunder:-

"5. Having considered efficacious alternative remedy available to the petitioner to challenge the impugned order (Annexure -P/1) by filing an appeal under Section 77 of the Act of 1960, I am not inclined to entertain the instant petition invoking extraordinary jurisdiction of this Court, hence the same is disposed of. However, liberty is granted to the petitioner to avail aforesaid statutory remedy.

6. Accordingly, this writ petition is disposed of."

4. Learned counsel for the applicant submits that the order dated 24.09.2025 passed by the Deputy Registrar, Co-operative Societies, Raipur was not appealable in view of provision contained in Section 79 of the Chhattisgarh Co-operative Societies, Act 1960 (henceforth "**Act 1960**"). Therefore, he prays that the impugned order dated 12.02.2026 may be recalled and original writ petition may be restored for hearing. In support of his contention, he also submits that in similar cases this Court has passed the order staying the order dated 24.09.2025 passed by the Deputy Registrar, Co-operative Societies.



5. In reply, learned counsel for respondents would submit that the order dated 24.09.2025 is very well appealable under Section 77 of the Act 1960. Hence, this review petition has no merit and same deserves to be dismissed.
6. Heard learned counsel for the parties and perused the documents place with the petition.
7. It is worth mentioning here that WPC No.606/2026 was not decided on merits, rather it was disposed of on the ground of alternative remedy available to the applicant (petitioner therein) to file an appeal against the order dated 24.09.2025 under Section 77 of the Act 1960.
8. Furthermore, the order dated 24.09.2025 passed by respondent No. 6 herein was very much appealable under Section 77 of the Act of 1960. No circumstances were found to be present as contemplated under Section 79 of the Act of 1960, which bars appeal or review in certain cases.
9. The Hon'ble Supreme Court in the judgment dated 03.11.2020 passed in Civil Appeal No. 3601 of 2020 in case of **Shri Ram Sahu (Dead) Through LRs V. Vinod Kumar Rawat and Ors**, had laid down that the judgment should be open to review, inter alia, if there is a mistake apparent on the face of the record. An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of the record justifying the court to exercise its power of review under Order 47 Rule 1 CPC. However, held that in exercise of the jurisdiction under Order 47 Rule 1 CPC it is not permissible for an erroneous decision to be 'reheard and corrected'. It is further held that there is a clear distinction between an erroneous decision and an error apparent on the face of the record. While the first can be corrected by the higher forum, the later only can be corrected



by exercise of the review jurisdiction. A review petition has a limited purpose and cannot be allowed to be 'an appeal in disguise'.

10. In light of the above principles and as stated in the preceding paragraph that WPC No. 606/2026 was not considered by this Court on its merits, rather, it was disposed of on account of an alternative efficacious remedy available to the applicant/petitioner under Section 77 of the Act of 1960, further considering that there are no circumstances found as contemplated under Section 79 of the Act of 1960, this Court is not inclined to review or recall the order dated 12.02.2026 passed in WPC No. 606/2026.
11. In the result, the review petition is dismissed.
12. Pending application, if any, stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay