



2026:CGHC:9750

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HIGH COURT OF CHHATTISGARH AT BILASPUR**REVP No. 53 of 2026***(Arising out of the order passed in FA No. 383/2016 dated 27.10.2025)*

1. Shyamu Prasad Lahre S/o Dwarika Prasad Lahre Aged About 35 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh, At Present R/o Ward No. 13, Mahua Dafai, Post Haldi Badi, Chirmiri, Distt. Koriya, Chhattisgarh.
2. Vijay Kumar Lahre S/o Dwarika Prasad Aged About 24 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh, At Present R/o Ward No. 13, Mahua Dafai, Post Haldi Badi, Chirmiri, Distt. Koriya, Chhattisgarh.
3. Ajay Kumar Lahre S/o Dwarika Prasad Lahre Aged About 24 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh, At Present R/o Ward No. 13, Mahua Dafai, Post Haldi Badi, Chirmiri, Distt. Koriya, Chhattisgarh.

... Applicants**versus**

1. Lallu Lahre S/o Dwarika Prasad Lahre Aged About 26 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh.
2. Smt. Basanti Lahre W/o Lallu Lahre Aged About 24 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh.
3. Dwarika Prasad Lahre S/o Late Bhaiyaram Lahre Aged About 60 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh.
4. Peela Bai Lahre D/o Late Bhaiyaram Lahre Aged About 62 Years R/o Village Bharari, Tahsil Takhatpur, Distt. Bilaspur, Chhattisgarh.
5. State Of Chhattisgarh Through The Collector, Bilaspur, Chhattisgarh.

... Respondents

For Applicant : Mr. Bharat Rajput, Advocate

For Respondent No. 5 : Ms. Diksha Gouraha, Govt. Advocate

Hon'ble Shri Parth Prateem Sahu, Judge**ORDER ON BOARD****24/02/2026**

1. This review petition is filed seeking review of the order dated 27.10.2025 (Annexure A-1) passed in FA No. 383/2016, whereby the first appeal filed by appellants therein was dismissed.



2. Learned counsel for applicants would submit that this Court while dismissing the first appeal erred in holding that the applicants failed to prove the oral partition of the subject property and further failed to prove that the suit property is the ancestral property. He submits that the original khasra number of the subject land is 783 recorded in the name of Faguwa Satnami, who was father of late Chintaram (great grand father of applicants and respondent No. 1). Earlier the oral partition of land bearing khasra no. 783 was made bifurcating in khasra nos. 783/1, 783/2, 783/3, 783/4 and 783/5, which is evident from B-1 and B-II Khasra Panchsala Kistabandi Khatauni of the year 2021-22, 2022-23, 2024-25 and 2025-26, which are placed in record as Annexure A-3. From the above referred documents it is clearly shown that the suit property is the ancestral property. The relevant documents could not be placed in record.
3. Learned counsel for respondent No. 5 would submit that he is not making any submission on merits of claim of applicants as the dispute is between the private parties.
4. I have heard learned counsel for the parties.
5. The contention of learned counsel for applicants in this review petition is that the revenue documents could not be handed over to the counsel appearing in courts below due to mistake of applicants.
6. From the pleadings made in para-5 of the review application, it is apparent that the ground for filing review is to bring additional documentary evidence on record, because due to mistake of the applicants it was not handed over to the counsel of courts below.
7. It is well settled in law that review application can be entertained only when there is error apparent on the face of record. In the guise of



review, rehearing is not permissible. The power of review is not an inherent power and must be exercised strictly within the parameters prescribed under Order XLVII Rule 1 of the Code of Civil Procedure. The jurisdiction of review is extremely limited and can be invoked only in cases where there is discovery of new and important matter or evidence which, despite due diligence, was not within the knowledge of the applicant, or where there exists some mistake or error apparent on the face of the record, or for any other sufficient reason analogous thereto. A review cannot be sought merely on the ground that the decision is erroneous on merits.

8. An error apparent on the face of the record must be self-evident and should not require a long-drawn process of reasoning or re-appreciation of evidence to establish it. If the error alleged has to be detected by a process of reasoning or by re-examining the factual matrix and legal position already considered, the same would fall within the domain of an appellate jurisdiction and not review. The review Court cannot sit in appeal over its own judgment and substitute a different view merely because another view is possible on the same set of facts as held by Hon'ble Supreme Court in case of **Smt. Meera Bhanja vs Smt. Nirmala Kumari Choudhury** reported in **AIR 1995 SC 455**.
9. In the case of **Asharfi Devi (dead) through LRs Vs. State of Uttar Pradesh and Ors.** reported in **(2019) 5 SCC 86**, it was held thus:

“18. It is a settled law that every error whether factual or legal cannot be made subject matter of review under Order 47 Rule 1 of the Code though it can be made subject matter of appeal arising out of such order. In other words, in order to attract the provisions of Order 47 Rule 1 of the



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Code, the error/mistake must be apparent on the face of the record of the case.”

10. Considering the grounds raised by learned counsel for applicants in this review petition and taking into consideration aforementioned rulings of Hon'ble Supreme Court, this Court is of considered view that review petitioners failed to point any error apparent on the face of record warranting review of the order dated 27.10.2025 passed in FA No. 383/2016.
11. Accordingly, review petition being *sans* merit is liable to be and is hereby **dismissed**.

Sd/-

(Parth Prateem Sahu)
JUDGE

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