

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.301 of 2014
Arising out of CWJC No. 18348 of 2010

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1. Asharfi Rai @ Asharfi Prasad Son of Late Mahendra Rai Resident of Village - Parsauna, P.S. - Parsa, District - Saran.

.... Petitioner/s

Versus

1. Ram Mohan Prasad Verma Son of Late Chaneshwar Prasad Verma Resident of Village - Parsauna, P.S. - Parsa, District - Saran At present residing at Mohalla - Kajipur, Road No. 4, Patna.

.... opposite party

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Appearance :

For the Petitioner/s : Mr. Nagendra Rai

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 01-04-2015

Heard learned counsel for the petitioner.

Learned counsel appearing for the petitioner submits that learned court below had passed the impugned order dated 05.12.2009 in accordance with law and after amendment of 2002, the amendment petition can only be allowed on limited grounds but in the present case, there was no ground either before the learned court below or before this Court to allow the amendment petition filed on behalf of petitioner of CWJC No. 18348 of 2010. It is further submitted on behalf of the petitioner that order dated 17.07.2014 passed in CWJC No. 18348 of 2010 has been passed by this Court without considering the above stated legal aspect and, therefore, there is error on record and this review petition is

liable to be allowed.

I am not, at all, convinced with the above stated submissions because the petitioner did not choose to appear before this Court at the time of hearing of CWJC No. 18348 of 2010 and moreover, this Court passed the order dated 17.07.2014 in CWJC No. 18348 of 2010 after considering all the pros and cons of the case. Therefore, in my view, there is no apparent error in the order dated 17.07.2014 passed in CWJC No. 18348 of 2010.

Accordingly, I do not find any merit in this review petition. Hence, this review petition stands dismissed on admission stage itself.

(Hemant Kumar Srivastava, J)

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