

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.335 of 2013

In
LPA 1541 of 2012

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Vijay Kumar Mishra S/O Late Yogyanandn Mishra R/O Near Pokhraj Bari
Chuna Bhathhi, Laxmi Nagar, P.S- Darbhanga, District- Darbhanga,
Currently Residing At P.W.D. Colony, Samastipur

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Road Construction Department, Government Of Bihar, Patna.
3. The Superintending Engineer, Road Construction Department, Road Circle, Darbhanga.
4. The Executive Engineer, Road Construction Department, Darbhanga.
5. The Executive Engineer, Road Construction Department, Samastipur Division, Samastipur.
6. The Accountant General, Bihar.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

5 09-02-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks review of the order dated
17.7.2013 passed by a Division Bench of this Court in L.P.A.
No.1541 of 2012.

Learned counsel for the petitioner submits that the
judgment of an earlier Division Bench in the case of State of Bihar
through the Secretary, Department of Minor Irrigation,
Government of Bihar vs. Kusheshwar Nath Pandey: 2013 (1)

P.L.J.R. 939 upon which this Court has relied upon in the order dated 17.7.2013 sought to be reviewed has subsequently been set aside by the Apex Court. The same cannot be a ground for review of the said decision.

In the aforesaid circumstances, learned counsel for the petitioner seeks permission to withdraw the review application with liberty to take recourse to an appropriate remedy in the matter.

The review application is, accordingly, dismissed as withdrawn with the aforesaid liberty.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Anjana Mishra, J)

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