

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.373 of 2011

IN

Civil Writ Jurisdiction Case No. 9992 of 2004

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1. Ayodhya Singh son of Late Hanuman Mahto

2. Rajhans Mehta son of Ayodhya Singh

Both are resident of village Dhanpurwa, P.O. & P.S.Sasaram, District Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Land Reforms Commissioner, Revenue department, Old Secretariat, Govt. of Bihar, Patna

2. The Collector, Rohtas at Sasaram

3. The Additional Collector, Rohtas at Sasaram

4. The Deputy Collector, Land Reforms, Rohtas

5. The Circle Officer, Sasaram

6. Sudhir Kumar Singh son of Late Nand Kishore Singh, resident of village Dhanpurwa, P.O. & P.S.Sasaram, District Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey, Advocate

For the Respondent Nos. 1 to 5: Mr.Narendra Kumar Singh, AC to GP 2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL JUDGMENT

Date: 22-01-2015

Heard learned counsel for the parties.

2. The review petitioners, who were not parties in CWJC No. 9992 of 2004, have filed the present Civil Review application seeking review of the order dated 29.03.2005 passed in the aforesaid CWJC No. 9992 of 2004 by a Bench of this Court (Coram: Mridula Mishra,J. since superannuated) whereby the aforesaid writ petition filed on behalf of the writ petitioner-opposite party no.6 herein was disposed of in the light of the averments made in the counter affidavit filed on behalf of the respondents.

3. Originally, the writ petitioner-opposite party no.6 herein had filed the aforesaid writ petition seeking a direction for disposal of Rent Fixation Case No. 07 of 1995-1996 by the Deputy

Collector, Land Reforms, Sasaram, Rohtas, In the counter affidavit filed on behalf of the respondents, it was stated that the aforesaid Rent Fixation Case No. 07 of 1995-1996 has already been disposed of by order dated 20.10.2004. Hence, writ petition was finally disposed of as the grievances of the petitioner was redressed.

4. In fact, the writ Court has simply disposed of the matter in the light of the averments made in the counter affidavit filed on behalf of the official respondents and has not given any specific direction with respect to the aforesaid Rent Fixation case. Therefore, the prayer for review made on behalf of the petitioners is completely misconceived and untenable.

5. In above view of the matter, the present review application is dismissed. However, if the petitioners are, at all, aggrieved by the order (s) passed in the aforesaid Rent Fixation Case No. 07 of 1995-1996, then they shall be at liberty to challenge the validity of the said order in an appropriate proceeding before an appropriate forum/court, which, it is expected, shall be considered and decided in accordance with law.

(Birendra Prasad Verma, J)

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