

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.131 of 2014

In
Miscellaneous Jurisdiction Case No. 1857 of 2003

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Raheshi Devi

.... Petitioner/s

Versus

Sheonandan Singh & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

8 23-09-2015 Heard Mr. Gupta in support of the application seeking
review/recall of the order dated 15.5.2013.

On 22.7.2015, this Court passed the following order:-

Mr. Gupta for the petitioner is present.

The defendant filed S.A. No. 375 of 1999 which was dismissed for non compliance of the peremptory order. MJC No. 1857 of 2003 is stated to have been filed within time for restoration of the said appeal by recall of the order dated 05.09.2002. During the Pendency of the aforesaid proceeding the plaintiff (o.p.no.2) died. The peremptory order passed to take steps for substitution was not complied with. The MJC application was considered on 31.03.2007 when this Court found that the said MJC application stood abated against opposite party no.2. The MJC application was thereafter listed on 15.05.2013 when after hearing the counsel for the petitioner this Court dismissed the same as having become infructuous as no effective order could be passed therein. Now the present review application has been filed for review/recall of the order dated 15.05.2013.

Mr. Gupta states that the present application be placed after two weeks when he would satisfy the Court with reference to the relevant law on the maintainability of the present review application.

List after two weeks.”

Counsel for the petitioner has not been able to convince this Court about the maintainability of this application.

In the light of facts noticed in order dated 22.07.2015, the application seeking review is rejected.

(Kishore Kumar Mandal, J)

Pankaj/-

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