

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1022 of 2015

In
SA 439 of 2012

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Yusuf Haidar Khan Son of Late Akhtar Hussain Khan, Resident of
Mohalla:-Dooligaht, P.S:-Khajakala, Patna City, District:- Patna.

.... Petitioner/s

Versus

1. Eqabal Haidar Khan Son of Late Akhtar Hussain Khan, Resident of
Village:-Mohalla:-Dooligaht, P.S:-Khajakala, Patna City, District:- Patna.
2. The State Bank of India, a Nationalised Bank having the head office at
Bombay, a branch situated at Mohalla Gulzarbagh, P.S. Alamganj, District:-
Patna.
3. The Regional Manager, the State Bank of India, Regional Office,
Regional Office, Region-I, Jeevan Deep Building. Exhibition Road, Patna,
Post Box no. 169, P.S:- Gandhi Maidan, District:- Patna.
4. That Branch Manager, the State Bank of India, Gulzarbagh Branch, P.S:-
Alamganj, P.O:-Gulzarbagh, District:-Patna.
5. Sri B.N. Bash, Branch Manager, State Bank of India Gulzarbagh Branch,
P.S:- Alamganj, District:-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yusuf Haidar Khan

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 26-08-2015 Heard the petitioner in person in support of the
restoration application which has been filed for restoration of
Civil Review No. 344 of 2014. The petitioner has stated the
reasons for non appearance of the counsel on 11.03.2015
when the case was called out and dismissed for non
prosecution. He has agreed to make submissions on merit of
Civil Review No. 344 of 2014 if restored.

Having heard the petitioner and on consideration of
the statements made in the application, the same is allowed.
Civil Review No. 344 of 2014 is restored to its original file
and number.

I have heard the petitioner in person in support of Civil Review No. 344 of 2014 filed for review of the order dated 15.09.2014 passed in S.A. No. 439 of 2012 which was disposed of in the light of the compromise reached between the appellant and the respondent who are full brothers. The Court in the said order noted the terms of the compromise.

It has been submitted that the parties were also required to withdraw the proceedings which were pending against each other in the light of compromise. The same has not been done by the appellant of S.A. No. 439 of 2012.

On going through the order passed on the second appeal this Court does not find any such terms of compromise which was arrived between them and noted in the order. That apart, the present application for review of the order passed in the second appeal disposing of the appeal in the light of the compromise reached between them is not maintainable considering the narrow confines of the jurisdiction invoked by the petitioner.

The review application is dismissed.

(Kishore Kumar Mandal, J)

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