

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18797 of 2015

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Shankar Rai & Ors

.... Petitioner/s

Versus

Roop Chand Yadav & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 29-06-2016

Learned counsel for the petitioners submitted that by order impugned Civil Review No.01 of 2015 has been dismissed and thereby the proceeding has been put to an end, as such it is not an interlocutory order. Therefore, the petitioners have the remedy to approach under the provision of Code of Civil Procedure to the higher Court. Accordingly, he seeks permission to convert this writ application to civil revision application.

Perused the order. In fact the civil review application has already been decided and disposed of, therefore, the order cannot be said to be an interlocutory order. As such in view of the Division Bench decision in the case of **Durga Devi & Ors. Vs. Vijay Kumar Poddar & Ors., 2010 (2) P.L.J.R. 954 paragraph 36**, the petitioners may convert this writ application to civil revision application under the Code of Civil Procedure within two

weeks failing which this writ application shall stand dismissed as not maintainable.

(Mungeshwar Sahoo, J)

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