

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.264 of 2015

In

Letters Patent A[ppel No.1760 of 2015

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M/s Ncc Ltd. (formerly known as Nagarjuna Construction Company Limited), NCC House, Madhapur, Hyderabad-81 through its Senior Manager, Mr. Shiv Shakti Dhari Sinha, son of Late Sri Prawin Dhari Sinha, residing at 401, Nilgiri Apartment, Boring Canal Road, P.S.-Srikrishnapuri, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resource Department.
2. The Principal Secretary, Water Resource Department, Government of Bihar.
3. Engineer in Chief (Central), Water Resource Department, Government of Bihar, Patna.
4. Chief Engineer, Water Resource Department, Valmiki Nagar, West Champaran, Bihar.
5. Chief Engineer, Water Resource Department, Muzaffarpur.
6. Engineer in Charge, Water Resource Division, Chekie, Motihari, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Adv.

Mr. Ashish Giri, Adv.

For the Respondent/s : Mrs. Binita Singh, GP-31

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE
CHAKRADHARI SHARAN SINGH)**

7 25-02-2016

The petitioner seeks review of our order, dated 12.10.2015, passed in Letters Patent Appeal No.1760 of 2015, whereby the said appeal was disposed of as withdrawn on the ground that as permission, to this effect, was sought for by the learned Senior Counsel, Mr. Y.V. Giri, appearing on behalf of the appellant therein, who is the review petitioner.

The sole plea, which has been taken for review of the order, dated 12.10.2015, is that the appeal was sought to be withdrawn, as instructed by the learned Advocate on record, on an oversight, without there being any specific instruction, in this regard, from the review petitioner.

In view of the peculiar facts and circumstances in which our order, dated 12.10.2015, passed in Letters Patent Appeal No.1760 of 2015, is sought to be reviewed and also the plea taken in the present petition on behalf of the petitioner, we recall our order, dated 12.10.2015. The said appeal, thus,

shall not be treated to have been disposed of as withdrawn.

At the same time, upon rival submissions advanced on behalf of the parties, Mr. Y.V. Giri, learned Senior Advocate, we find that there is no dispute that this appeal has, for all practical purposes, become infructuous.

This appeal is, therefore, dismissed as having become infructuous.

(I. A. Ansari, ACJ.)

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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