

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.207 of 2016

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Chandeshwari Devi & Anr

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 17-08-2016

The petitioners seek review of the order dated 24.07.2015, passed in C.W.J.C. No.2589 of 1994, on the ground that as on the date of the said judgment, Basudeo Gope, the petitioner no.1 of the said case, was not alive. It is also the case of review petitioners that the petitioner no.2 was not alive, even on the date of filing of Writ application, and, her forged vakalatnama was filed, on her behalf, in the writ proceeding.

Facts remain that Suresh Gope @ Suren Gope, the petitioner no.3, son of petitioner no.1 was there, on the record, as petitioner no.3, in C.W.J.C. No. 2589 of 1994. An order dated 06.02.1994, passed by the Research Officer, Directorate of Consolidation, Bihar, Patna, passed in the revisional jurisdiction and was under challenge, in the said proceeding, which was finally allowed by the order under review.

In my view, death of petitioners no.1 and 2 will in no

manner amount to altering the situation and no prejudice can be said to have been caused, to review petitioners, because of non-substitution of the heirs of the said petitioners no.1 and 2, more particularly, as petitioner no.3, son of petitioner no.1 was already there, on the record. I do not find any merit in the writ application.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

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