

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No 413 of 2014

IN

Civil Writ Jurisdiction Case No 8039 of 2013

M/s Anjani Enterprises (formerly known as Anjali Enterprises), a registered Partnership Firm, having its place of business at Turning Point , Opposite Dada Saheb Jain Temple, Kalanala, Bhawnagar, Gujrat, through its consitituted Power of Attorney Holder, Rameshbhai Patel Son of Dayabhai Patel , Resident of Nari , P.O. & P.S. Bhavnagar, District Bhavnagar.

.... Petitioner/s

Versus

1. The State of Bihar , through the Principal Secretary, Department Revenue & Land Reforms, Governmetn of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Department of Sugarcane, Government of Bihar, Vikas Bhawan, Patna.
3. The Principal Secretary, Department of Industries, Government of Bihar, Vikas Bhawan , Patna.
4. The District Magistrate, East Champaran Motihari.
5. The Additional Collector, Land Ceiling, East Champaran, at Motihari.
6. The Sub Divisional Registrar, Department of Registration , East Champaran at Motihari.
7. The Circle Officer, Chakia, District East Champaran
8. The Sub Registrar, Department of Registration, East Champaran at Motihari.
9. Vishnu Kant Gupta , son of Vaidyanath Gupta , resident of Baluatal , P.S. Motihari Town , Motihari, District East Champaran.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr Y V Giri, Sr Advocate with
Mr Suraj Samdarshi, Advocate

For the Respondent/s : Mr Shailendra Kr Jha, AC to AAG13

CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

Date: 29-06-2016

This application for review is by a non-party in CWJC

No 8039 of 2013 which was disposed on by judgment and order dated
18.12.2013.

2 The writ petitioner, who is respondent No 9 in these

proceedings, had filed the writ petition for a direction to the State to execute the sale deed and not to interfere with the possession and to permit him to sell the land.

3 Mr Y V Giri, learned Senior Counsel submits that so far as this review petitioner is concerned, it had an agreement with the petitioner under which agreement, the review petitioner would have lien over the properties. It was not made a party in the writ petition and, as such, it must be heard.

4 Having considered the matter, in my view, the prayer cannot be acceded. The writ petitioner did not seek any relief against the review petitioner. Review petitioner also cannot oppose the relief granted to the writ petitioner. What the review petitioner, by this petition seeks, is to enforce a private agreement as between it and the writ petitioner. Unfortunately, this is not a jurisdiction for such an action. The review petitioner has its civil or any other remedy which may be available to it for enforcement of the agreement qua parties.

5 This review application is misconceived and is dismissed accordingly.

(Navaniti Prasad Singh, J)

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