

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.11 of 2013

IN

Civil Writ Jurisdiction Case No. 4639 of 2005

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M/s Vishnu Sugar Mills Limited, Harakhua P.O. Vishnu Sugar Mills, District -
Gopalganj through its General Manager, P.R.S. Panicker, Son of Sri Raghav
Panikher

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Secretary, Sugarcane Development Department, Government of Bihar
3. The Cane Commissioner, Sugarcane Development Department, Government of Bihar, Patna
4. Assistant Cane Commissioner, Bihar, Patna
5. The State of Uttar Pradesh through the Cane Commissioner, Lucknow, (U.P.)

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Y.V. Giri, Sr. Advocate
Mr. Ashish Giri, Advocate
Mr. Vikas Ratan Bharti, Advocate
For Opposite Parties : Mr. Pawan Kumar, AC to GA 1

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 23-11-2016

Heard learned counsel for the parties.

2. The present application is for review of the order passed
by this Court on 6th of July, 2012 in CWJC No. 4639 of 2005.

3. The argument of the learned counsel for the petitioner is
that this Court has relied upon a judgment of the Supreme Court in
Purtabpore Company Limited Vs. Cane Commissioner , Bihar, (1970)
2 SCC 152 but the correctness of such view is being examined by the
Supreme Court in Civil Appeal No. 5955 of 2005. Therefore the order

passed by this Court should be reviewed to await the judgment of the Supreme Court in the aforesaid appeal.

4. We do not find any error apparent on the record which warrants review of the order. The Bench has noticed the pendency of the said appeal and decided the matter on merits. Till such time the matter is decided either way, the judgment in Purtabpore Company Limited (supra) is binding on this Court.

5. In view of the said fact, we do not find any error apparent on record warranting interference in the present review petition. The same is accordingly dismissed.

(Hemant Gupta, ACJ)

B.T/Ibrar

(Vikash Jain, J)

AFR/NAFR	NAFR
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