

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.186 of 2017

IN

Civil Writ Jurisdiction Case No. 20867 of 2012

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Ajit Mitruka, Son of Sri Kedar Nath Mitruka, at M.G. Road, Khalpara, Siliguri, P.S.-
Siliguri, District-Darjeeling in the State of West Bengal.

.... Writ Petitioner - Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Transport,
Bihar, Patna.
2. Member Board of Revenue, Government of Bihar, Patna.
3. Secretary, Department of Transport, Government of Bihar, Patna.
4. Transport Commissioner, Government of Bihar, Patna.
5. The Joint Transport Commissioner, Government of Bihar, Patna.
6. State Transport Authority, Bihar, Patna through Secretary.
7. State Transport Authority, West Bengal through Secretary.

.... Respondents- Opposite Parties

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Appearance :

For the Petitioner/s : Mr. B.K. Singh, Adv.
Mr. Sanjay Kumar Pandey, Adv.

For the Respondent/s : Mr. Rohitab Das, A.C. to AAG-10

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

Date: 15-11-2017

This review petition has been filed by the petitioner for
review of the order dated 08.07.2013 passed by this Court in
C.W.J.C. No. 20867 of 2012.

2. The petitioner preferred S.L.P.(C) No. 37863 of 2013



against the order passed in C.W.J.C. No. 20867 of 2012, which came up before the Supreme Court on 31.01.2014 and the following order was passed :-

“The learned counsel appearing for the petitioner seeks leave to withdraw this Special Leave Petition with leave to file an appropriate Application before the High Court. Permission is granted.

The Special Leave Petition is, accordingly, dismissed as withdrawn.”

3. Thereafter a review petition bearing Civil Review No. 34 of 2014 was filed before this Court, which was dismissed for non-compliance of the peremptory order dated 19.11.2014. After a lapse of two and a half years since then, the present review petition has been filed by the petitioner in which several new facts and grounds have been introduced, which is not permissible in law. Learned counsel for the petitioner has tried to argue the case afresh on the basis of new materials brought on record, as also the materials available from before and has pleaded that the order under review is erroneous. However, no error apparent on the face of the record could be pointed out by the petitioner seeking review of the order. It is well settled that a review proceeding cannot be contested like an original hearing of the case. The petitioner cannot seek review of an order or judgment merely for fresh hearing or re-hearing and fresh decision of



the case.

4. We see no merit in this review petition. It is accordingly dismissed.

(Ashwani Kumar Singh, J)

(Chakradhari Sharan Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18-11-2017
Transmission Date	

