

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.287 of 2017

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1. Mithesh Kumar Tiwary, son of late Rambharat Tiwary, resident of village Sekhpura Dhelwlan, P.S. Ramkrinsha Nagar, District Patna
2. Sitaram Paswan, son of Late Munshi Paswan, resident of village - Phulwari Shokhara district Begusarai

... .. Petitioner/s

Versus

1. The Bihar Industrial Area Development Authority through its Managing Director Udyog Bhawan, East Gandhi Maidan, Patna 4
2. The Secretary, Bihar Industrial Area Development Authority Udyog Bhawan, East Gandhi Maidan, Patna 4
3. The Managing Director Bihar Industrial Area Development Authority Udyog Bhawan East Gandhi Maidan Patna 4
4. The Executive Director Bihar Industrial Area Development Authority Udyog Bhawan East Gandhi Maidan Patna 4
5. Markus David Sah son of Late David Sah resident of Utteri Patel Nagar, Road No. 24 Police Station Shastri nagar District Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mahesh Prasad Singh
For the Respondent/s : Mr. Piyush Lall

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 08-11-2017 Heard Sri Mahesh Prasad Singh, learned counsel for the petitioner and Sri Piyush Lal, learned counsel who has appeared on behalf of the opposite parties/ Bihar Industrial Area Development Authority.

The present petition has been filed with a prayer to review / recall the order dated 18.04.2017 passed in CWJC No. 1419 of 2009. Before proceeding, it would be appropriate to incorporate the order dated 18.04.2017 passed in CWJC No. 1419 of 2009 which is as follows:-

“Sri Ranjan Kumar Singh, learned



counsel for the petitioners in presence of Sri Kumar Priya Ranjan, learned counsel appearing on behalf of the respondents / Bihar Industrial Area Development Authority after noticing the 3rd supplementary counter affidavit along with which order passed by the writ court and approved by L.P.A. court in L.P.A. No. 1843 of 2015 and other connected Appeals submits that now the issue has already been settled.

Sri Kumar Priya Ranjan, learned counsel for the respondents has argued that in view of the orders passed by this court, the issue raised in the present writ petition has already been rejected and affirmed by the L.P.A. court.

Accordingly, in view of those orders, learned counsel for the petitioners does not want to press the petition.

The writ petition stands dismissed as not pressed.”

In view of the aforesaid order it is evident that learned counsel who was appearing Sri Ranjan Kumar Singh for the petitioner had himself said that he was not pressing the petition and as such, the writ petition stood dismissed as not pressed. Now, the present review petition has been filed by an another advocate and a plea has been taken that in earlier writ petition in counter affidavits incorrect facts were mentioned and facts were suppressed and this was the reason that earlier writ petition was not pressed.

The court is of the opinion that learned counsel , who was



appearing on behalf of the petitioner had examined every thing and voluntarily he had not pressed the petition, and as such, writ petition stood dismissed as not pressed. Once exercising writ jurisdiction this court had not entertained the petition since it was not pressed, there is no reason for reviewing my earlier order.

Accordingly, the review petition stands dismissed.

(Rakesh Kumar, J)

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