

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.298 of 2017

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Bhagwati Devi @ Bhagyawati Devi, Wife of Ravi Kumar, Resident of
village- Ganaura Badarpur, P.S. Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Avanindra Kumar Jha, Adv.

For the Respondent/s : Mr. Kaushal Kumar Jha (AAG 8)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-12-2017

Having heard learned counsel for the parties, we
condone the delay in filing of this review application. I.A. No.7965
of 2017 is allowed and disposed of.

We find that while allowing L.P.A No.1152 of 2016
on 10.4.2017, the applicant herein Smt. Bhagwati Devi, who was
respondent No.7, was not heard, notices were not issued to her and
consequent upon the order passed by this Court in L.P.A No.1152
of 2016 on 10.4.2017, not only the right of the present applicant
was adversely affected, but a writ petition filed by her also stood
dismissed as withdrawn which she had to withdraw in view of the
order passed on 10.4.2017.

Taking note of all these factors, we are of the
considered view that in allowing the appeal filed by the respondent



Prerna Ranjan in L.P.A No.1152 of 2016 without noticing and hearing the present applicant, an error apparent on the face of the record has occurred. Rights accruing to the applicant has been taken away behind her back and, therefore, this is a good ground for allowing the review application and recalling the order dated 10.4.2017 and hearing L.P.A. No.1152 of 2016 afresh.

Accordingly, this application is allowed, the order dated 10.4.2017 passed in L.P.A. No.1152 of 2016 is recalled. The said L.P.A. be restored to its original file.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.12.2017
Transmission Date	

