

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.468 of 2016

IN

Civil Writ Jurisdiction Case No. 12975 of 2016

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Jagnnath Das, Chela of Shree- Shree 1008 Late Sutikshan Das, resident of Village-
Anjani-Gufa, (Shrawan-Dag), P.S.- Adhaura, Dist- Kaimur (Bhabhua).

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary cum Commissioner, Water Resources Department, Govt. of Bihar, Patna.
3. The Engineer in Chief (South), Water Resources Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Dehari, Dist.- Rohtas.
5. The Superintending Engineer, Durgawati Construction- Circle, Bhitari- Bandh, Camp- Chenari, Dist.- Rohtas.
6. The Executive Engineer, Durgawati-Damm (Bandh), Division- I (Bhitari- Bandh), Chenari, District- Rohtas.
7. The District Magistrate, Kaimur (Bhabua).

.... (Respondents) O.Ps.

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Appearance :

For the Petitioner/s : Mr. Madheshwar Singh

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 22-03-2017

Heard learned counsel for the petitioner.

This application has been filed for review of the order



dated 22.09.2016 passed in C.W.J.C. No.12975 of 2016.

It is stated on behalf of the petitioner that he never sought withdrawal of the case and he was surprised to know that the writ application was disposed of as withdrawn. He has also stated that withdrawal of the writ application is prejudicial to the interest of the petitioner. In paragraph no.4, it is stated that the writ application was listed on 22.09.2016 under the heading For Orders before the Division Bench and counsel for the petitioner argued the case on the merit. He had never sought permission to withdraw the writ application.

Even if the aforesaid contention is accepted for time being, it is intriguing that nothing has been stated regarding the nature of order which actually was passed in the presence of the petitioner after the case was heard on merit. On such query having been made by this Court, learned counsel has submitted that he could not hear the order.

In our view, such statement is required to be noted only to be rejected. The petitioner claims to have argued the matter on merit. The order was admittedly dictated in his presence but he is not certain as to what order was passed in his presence whereas the order in clear term indicates that learned counsel sought permission to withdraw the writ application. It is also stated in the order that on such permission having been sought by the petitioner, no objection was



raised on behalf of the respondents.

Thus, in our view, this review application appears to be an afterthought. Thus, the order under review is not required to be interfered in the present proceeding.

Accordingly, this civil review application is dismissed.

(Dr. Ravi Ranjan, J)

(Vikash Jain, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

