

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No. 484 of 2012

In
Civil Writ Jurisdiction Case No. 12873 of 2006

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1. The State Of Bihar through the Collector, Nawadah
 2. The Special Land Acquisition Officer, Flood Protection Project, Anisabad, Patna.
 3. The Chief Engineer, Water Resources Department, Government of Bihar, Patna.
 4. The Executive Engineer, Fulwaria Dam, Water Resources Department, Bihar, Fulwaria Dam Embankment Division, Hardia, Rajauli, Nawadah.
 5. The Principal Secretary/ Secretary, Water Resources Department, Bihar, Patna.

.... Petitioners

Versus

Bal Govind Prasad S/O Late Punit Sao Resident of Village and P.S Rajauli, District- Nawadah At Present Residing At Gonaeon Jain Mandir Road, Nawadah, P.S and District- Nawadah.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar Sharma, AC to PAAG-1
For the O.P. : Mr. Gopal, Adv.
Mr. Sunil Kr. Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

13 21-06-2017 Heard learned counsel for the petitioners as well as learned counsel for the opposite party.

This petition has been filed for review of order dated 08.07.2010 passed by a co-ordinate Bench of this court in C.W.J.C. No. 12873 of 2006 by which the petitioners were directed to take a decision and award compensation to the opposite



party in respect of his land.

Learned counsel appearing for the petitioners submits that opposite party has claimed his title and possession in respect of plots in question on the basis of judgment and decree passed in Title Suit No. 05 of 1985 but as a matter of fact, the judgment and decree dated 16.12.1987 passed in Title Suit No. 05 of 1985 was challenged before the appellate courts but unfortunately, the petitioners could not get any favour of the appellate courts and now, the matter is pending before the Hon'ble Apex Court and, therefore, the judgment and decree pronounced in Title Suit No. 05 of 1985 has not attained finality as yet. It is also pointed out by him that notices to opposite party has already been issued by the Hon'ble Apex Court. He further submits that this matter should be kept pending till disposal of the lis pending before the Apex Court.

I am unable to accept the aforesaid contentions of learned counsel for the petitioners because this review petition has been filed to modify the order dated 08.07.2010 passed in C.W.J.C. No. 12873 of 2006 and admittedly, against the order dated 08.07.2010 passed in C.W.J.C. No. 12873 of 2006, no L.P.A. was filed by the petitioners. Moreover, there is a very limited scope while exercising the power of review and there is nothing on the record to show any apparent mistake on the face of



the record.

Hence, this review petition is devoid of merit and is,
accordingly, dismissed.

(Hemant Kumar Srivastava, J)

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