

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No. 193 of 2016

- =====
1. Deorajo Devi, wife of Late Ram Swaroop Singh
 2. Mahendra Singh
 3. Bindeshwari Singh
 4. Satyendra Singh
 5. Sunil Kr. Singh
 - 2 to 5 are the sons of Late Ram Swaroop Singh
 6. Bularo Devi
 7. Anaro Devi
 8. Meela Devi
 9. Sona Devi
 10. Binda Devi, 6 to 10 are daughters of Late Ram Swaroop Singh
 11. Rajendra Singh, H/o- Buchi Devi (deceased) son in law of Late Ram Swaroop Singh all petitioner no. 1 to 5 and petitioners no. 6 to 11 are resident of Village Gopi Garh, P.S. Akothi Gala, Anchal Akothi Gala, District Rohtas.

.... Petitioner

Versus

1. Ramadhar Singh, Son of Late Bhaglu Singh
2. Briksha Singh
3. Sagar Singh, both sons of late Basawan Singh, all resident of village Banka Tala Gopi Garh, Anchal Akothi Gala, District Rohtas
4. Consolidation Officer, Dehri Rohtas
5. Deputy Director of Consolidation, Rohtas at Sasaram
6. Joint Director of Consolidation, Patna, Bihar
7. The State of Bihar
8. Ramdeo Singh, son of Kirit Koiri
9. Ramjee Mahto, son of Brichh Mahto
10. Basuli Koiri, son of late Ram Lagan Koiri
- all respondent no. 8 to 9 resident of village Akorhi Gala Anchal Akothi Gala District Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mallika Mazumdar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 08-08-2017 The office has reported that petitioners are not applicants in C.W.J.C. No. 4774 of 1993 and, therefore, this review petition does not appear to be maintainable.



The office has further reported that I.A. No. 5170 of 2017 has been filed for substituting the petitioners as legal heirs of deceased writ petitioner in C.W.J.C. No. 4774 of 1993.

It would appear from perusal of record of C.W.J.C. No. 4774 of 1993 that the aforesaid writ petition was filed by one Ram Swaroop Singh but during pendency of the aforesaid writ petition, the writ petitioner, namely, Ram Swaroop Singh died and on 01.04.2015, when the aforesaid writ petition was listed before the Bench it was submitted on behalf of the writ petitioner that aforesaid writ stood abated due to death of sole petitioner and accordingly, a co-ordinate Bench of this court disposed of the aforesaid writ petition vide order dated 01.04.2015 on the basis of submissions made by learned counsel of writ petitioner but subsequently, on 22.05.2015, it was brought to the notice of the said Bench that on 01.04.2015, the submission of abatement of the writ petitioner was not advanced by Mr. Pushkar Nath Singh, who was appointed an advocate by the writ petitioner rather the said submission was made by the learned counsel of respondent no. 1 of the writ petition. However, the said Bench modified the order dated 01.04.2015 in view of the aforesaid submissions.

Petitioners being legal representatives of deceased writ petitioner, Ram Swaroop Singh filed this review petition on the



ground that no opportunity of substitution was given and on the basis of wrong submission, C.W.J.C. No. 4774 of 1993 was disposed of being abated.

However, in course of hearing, learned counsel appearing for the petitioners seeks permission for withdrawal of this review petition with liberty to take proper step before the appropriate forum for redressal of grievances of the petitioners.

In view of the aforesaid submissions, this review petition stands disposed of as withdrawn giving liberty to petitioners that they may knock the door of proper forum in accordance with law for redressal of their grievances and if they do so, the period which was spent during pendency of this review petition may be excluded by the competent authority while calculating the period of limitation.

(Hemant Kumar Srivastava, J)

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