

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.126 of 2015

In
Civil Writ Jurisdiction Case No. 8376 of 1992

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1. Bin Deshwar Singh Son of Late Ram Lochan Singh, Resident of Village
& Post Chhotaipatti, P.S. - Sadar Darbhanga, District- Darbhanga.

.... Petitioner

Versus

1. The Chairman Cum President
2. The Chief Executive Officer.
3. The Financial Advisor and Chief Accounts Officer, Respondent No. 1 to
3 authorities of Bihar State Khaldi & Village Industries Board Gandhi
Maidan, East P.S. - Gandhi Maidan, District - Patna.
4. The Industrial Development Commissioner, Deptt. of Industries, Bihar,
Patna.
5. Director of Industries, Deptt. of Industries, Govt. of Bihar, Patna.
6. The Industries Minister, Cotton & Small Industries, Bihar, Patna.
7. The Establishment / Standing Committee, Bihar State Khadi & Village
Industries Board, Gandhi Maidan, East P.S. Gandhi maidan, District -
Patna.
8. The State of Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha
For the Khadi Board : Dr. Anand Kumar
For the State : Mr. Sanjay Kumar, AC to AAG-4

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

and

HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL)

3 17-02-2017

Ref.: I.A. No. 993 of 2017.

We have heard Mr. Satish Kumar Sinha, the learned



counsel for the petitioner in support of the interlocutory application and Dr. Anand Kumar, learned counsel for the Bihar State Khadi Board in opposition thereto.

The petitioner had filed a writ petition in the year 1992, which was admitted to hearing in 1993. The same was considered and rejected on 19.01.2010. Nearly five years thereafter, the review application has been filed. Obviously, the same is severely barred by limitation. Hence, the present application.

Referring to the averments made in paragraph-7 of the instant application, it has been submitted that the writ petition was filed by a lawyer, who died in 1994. To verify the aforesaid, we perused the records of C.W.J.C. No. 8376 of 1992, wherefrom, it appears that not only late Mr. Pandey but three more lawyers were also appearing on behalf of the petitioner.

Considering the above, it has been argued on behalf of the respondent that there is no plausible explanation given by the review petitioner.

Upon hearing both sides, we are of the view that even if a pedantic view is not taken the petitioner has not satisfactorily explained the delay of five (05) years.



Consequently, we reject the application seeking condonation of delay. I.A. No. 993 of 2017is rejected.

The Civil Review Petition being barred by limitation is also rejected.

(Kishore Kumar Mandal, J)

(Sanjay Kumar, J)

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