

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.511 of 2012

=====

Saktinath Singh , son of Ramadhar Singh , resident of Village -
Madhubani, P.O. Basatpur Bagla, P.S. Amnour, District - Saran At Chapra

.... Petitioner/s

Versus

Babita Devi wife of Saktinath Singh resident of Village - Madhubani,
P.S. Basatpur Bagla, P.S. Amnour, District - Saran daughter Of Kapildeo
Singh, Of Village - Dubha, P.O. + P.S. Madhuban, District - Motihari

.... Opp. Party /s

=====

Appearance :

For the Petitioner/s : M/s Dronacharya, Advocate

For the Opp. Party /s :

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 23-03-2017 Heard learned counsel for the petitioner.

The present matter has been listed under the heading
“For Order On Petition i.e. I.A. No. 1704 of 2017 , which was
filed for condoning delay in filing the present Review petition.
The Civil Review petition in which limitation petition has been
filed was filed for review / recall of the order dated 6.8.2012
passed by a Bench of this court in M.J.C. No. 5708 of 2011. The
said case was filed by the wife of the petitioner under Section 24
read with Section 151 of the Code of Civil Procedure, 1908 with a
prayer to transfer divorce case i.e. Divorce Petition No. 134 of
2007 from the court of Principal Judge, Saran at Chapra to the
Motihari Court. One of the grounds for transfer of the case was
that while the wife of the present Review petitioner was returning



after attending the proceeding at Chapra she was assaulted. Considering all those facts the order was passed by this court in the year 2012 for transferring the record of the case. It is true that while the order was being passed none had appeared on behalf of the Review petitioner . It is also a fact that prior to passing order the matter was referred to the Mediation Centre for settling the dispute but mediation failed due to non -cooperation / non - appearance of the husband , who is the Review petitioner. In filing the Review petition two months 24 days delay has occurred . The grounds which has been stated for condonation of delay is not sufficient to persuade the court to accept the same. Accordingly, the limitation petition stands dismissed. Since limitation petition is dismissed obviously the Review petition also stands dismissed.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--

