

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3997 of 2012

Arising out of

Civil Review No. 92 of 2012

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1. Narayan Kumar, son of Late Suresh Kumar, resident of village + P.O.- Karnpur, P.S.-Supaul, District-Supaul.
 2. Krishna Kant Jha, son of Shri Ram Chandra Jha, resident of village + P.O.- Sukhpur, P.S.+ District-Supaul
 3. Ramjee Mahto, son of Late Jangal Mahto, resident of village+ P.O.-Karnpur, P.S.+ District- Supaul.
 4. Siyaram Chaudhary, son of Shri Mahabir Chaudhary, resident of village-Nariar Bhengha, P.S.+District- Saharsa.
 5. Ravindra Narayan Thakur, son of late Upendra Narayan Thakur, resident of village + P.O.-Chainpur, P.S.-Bangaon, District-Saharsa.
 6. Vinay Kumar Jha, son of Late Chanda Jha, resident of village + P.O.-Chaiinpur, P.S. – Bangaon, District-Saharsa.
 7. Shyam Sundar Jha, son of Late Bhola Jha, resident of village+P.O.-Tagwan, P.S.- Sonbarsa, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat Building, Patna, Bihar, namely Sri Navin Kumar
2. The Secretary, Department of Water Resources, Government of Bihar, Sinchai Bhawan, Patna, namely Sri Md. A. Amanullah.
3. The Director, Department of Land Acquisition & Rehabilitation-cum- Deputy Secretary of Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna, namely Sri Raghunath Prasad.

.... Contemnors/ Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kr. Jha, Senior Advocate Mr. Dinesh Chaudhary, Advocate Mr. Prafull Chandra Thakur, Advocate.
For the Opposite parties	:	Mr. P.A.A.G.-2 Mr. Anant Prasad Singh, SC-15 Mr. Avinash Kumar, AC to SC-15

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 18-01-2017

Heard learned counsel for the parties.

The present application has been filed alleging non compliance of the order dated 07.03.2012 passed in Civil Review No. 92 of 2012.



At the very outset, learned counsel for the State has drawn the attention of the Court to the judgment and order dated 30.08.2016 passed in Civil Review No. 76 of 2015, by which the order alleged to have been violated, has been upheld by a long and reasoned order. He submitted that once the order of the Single Bench has been expounded/explained in appeal, the said order stands merged with that of the appellate Court and in any view of the matter, once a detailed judgment and order has been passed by the appellate Court, any consideration with regard to compliance or on merits has to be agitated before the Division Bench.

The Court finds substance in the contention of learned counsel for the State.

In view of the aforesaid, the application stands disposed off with liberty to the petitioners to move before the appropriate forum, in accordance with law, for redressal of their grievance, as raised in the present application, both with regard to its violation and merits.

(Ahsanuddin Amanullah, J)

P. Kumar

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