

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.462 of 2016

In
C.R. 121 of 2016

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Anwari Bibi

.... Petitioner/s

Versus

Khairatan Bibi & Anr

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore Mishra

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

4 17-01-2017 1. Heard the learned counsel, Mr. K.K. Mishra, for the
petitioner.

2. This review application has been filed by the petitioner
for review of the order dated 14.09.2016 passed by this Court in
Civil Revision No.121 of 2016 whereby revision application has
been dismissed.

3. It appears that Title Suit No.17 of 2015 was filed by the
plaintiff-respondent. The petitioner herein filed application under
Order 7 Rule 11(d) CPC praying for rejection of the plaint. The
Court below by the order dated 10.03.2016 rejected the application
filed under Order VII Rule 11(d) of the CPC. The learned
counsel, Mr. Mishra, elaborately argued the points raised by him
in paragraph 3 to 27. The main contention is that various grounds



were raised by the petitioner at the time of hearing of the Civil Revision application in admission mater but the contention raised by the petitioner were not considered by the High Court in the order. Therefore, this application for review has been filed. In support of his contention, the learned counsel relied upon various decisions of the High Court as well as Supreme Court.

4. From perusal of the statement made in the said paragraphs, it appears that the allegation is that this Court has failed to appreciate the mater in right perspective, the Judgment is illegal, arbitrary, nugatory and the Judge has thus adopted procedural unknown to law causing irreparable loss and irreparable injury to the petitioner.

5. From perusal of the order dated 14.09.2016, it appears that the relevant law settled by the Supreme Court has already been discussed and quoted and, therefore, on the ground that the other various decisions relied upon by the petitioner or the ground that various contention were not considered by the Court, the order cannot be reviewed. In other words, the ground raised by the petitioner as aforesaid are not the grounds for review. It is not material what points has been raised and what decisions have been relied upon by the petitioner, the material fact is whether the order



passed by this Court is according to law or not. Where any decision is relied upon which is not relevant for deciding the case, it is not necessary for the High Court to deal with each and every decisions or the contentions that may be raised by the petitioner. Today also at the very outset, the learned counsel submitted that at least he has got 50 decisions in this matter. It is not necessary to deal these 50 decisions while considering review application for review of the order dated 14.09.2016 because when the learned counsel placed the said decisions, it appears that those decisions relied upon by the petitioner which are mentioned in the review application relates to merit of the case regarding whether there had already been partition or not.

6. Thus, I find no case for review and accordingly, this review application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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