

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.430 of 2017

M/s Raghupati Rice Mill Through Its Proprietor, Arvind Kumar
... .. Petitioner/s

Versus

The State Of Bihar & Ors
... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.
For the Respondent/s : Mr. Vishwambhar Prasad, AC to AAG 5
For B.S.F.C. Mr. Sanjeev Kumar, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-11-2017

Even though there is a delay of about 2 years, 5 months and 12 days in filing of this review application, we find that recently in a large number of cases, L.P.A's and Civil Review applications, identical in nature, have been allowed and that is one of the reasons which prompted the applicant to file this review application and it is stated that he came to know recently about such orders being passed and brings to our notice an order passed on 19.5.2017 by a Co-ordinate Bench of this Court in Civil Review No.202/2017 in support of his contention that the review application be allowed.

Taking note of the aforesaid and the fact that in a large number of cases, similar applications have been allowed and certain relief granted to the applicants, we see no reason to deny



similar benefit to the petitioner only on account of delay in filing of the application.

Accordingly, the application is allowed. Delay in filing of the application is condoned. I.A. No.7802 of 2017 stands allowed and disposed of.

Having heard learned counsel for the parties at length and keeping in view the identical orders passed in Civil Review No.150/15 and various other cases, this application is allowed. The order passed in L.P.A. No.594/15 on 17.4.2015 is reviewed and the operative part of the judgment with regard to payment of balance amount of certificate proceedings are modified and this review application is disposed of in identical terms as are contained in the order dated 23.8.2016 passed in Civil Review No.150/15.

To that extent the order passed on 17.4.2015 in L.P.A. No.594/15 stands modified and reviewed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	10.11.2017
Transmission Date	

