

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.461 of 2016

in

C.Misc. 571 of 2016

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Shrawan Kumar, Son of Sri Karu Ram, Resident of Holding No. 42 A, Mahal No.3, Ward no. 7, Company Bagh, Police Station- Danapur, District Patna.

.... Petitioner/s

Versus

Parvez Hussain, Son of Late Abdul Jabbar, Resident of Company Bagh, Holding No. 42A, Mahal No.3, Ward no. 7, Police Station- Danapur, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar(ASG)

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO

ORAL JUDGMENT

Date: 07-02-2017

Heard learned counsel for the petitioner.

This application has been filed for review of my order dated 07.09.2016 passed in Civil Misc. No. 571 of 2016 whereby the said application was allowed and further proceedings of Execution Case No. 171 of 2015 was stayed subject to payment of amount of Rs. 2000/- per month from the date of the decree till the month of September, 2016 within one month in the Executing Court and the petitioner was directed to go on depositing the said amount per month within 15th of next month till the appeal is decided.

The only ground of the petitioner is that at some places shop is mentioned in the order and at some places suit premises is mentioned therefore, that may be corrected. So far as this objection is



concerned it is not a ground for review. It may be a typing error. So far as the other ground raised by the petitioner that the amount has been fixed at Rs. 2000/- per month relying on the decision of the case of **M/S. Atma Ram Properties (P) Ltd vs. M/S. Federal Motors Pvt. Ltd** reported in **2005(1) SCC 705** is concerned, what will happen if appeal is allowed has not been mentioned also it is not a ground of review.

Thus, I find no reason to review the impugned order. Accordingly, this review application is dismissed.

(Mungeshwar Sahoo, J)

Prakash/-

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