

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.159 of 2018

In
Letters Patent Appeal No.1864 of 2017

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Kapal Mahto, son of late Bhikhar Mahto, resident of Village- Kora Khargi,
P.S.-Parsauni, District-Sitamarhi. Appellant/Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
 2. The Director, Land Acquisition & Rehabilitation, Water Resources and Irrigation Department, Government of Bihar, Patna.
 3. The Collector, Sitamarhi, Bihar.
 4. The Rehabilitation Officer, Bagmati Scheme, Sitamarhi, Bihar.
 5. The Circle Officer, Block-Parsauni, District-Sitamarhi, Bihar.
- Respondent 1st Set-Opposite Party 1st Set.
6. Bagmati Displaced and Unrehabilitated Peoples Union, Kora Bhim through its Secretary, Amrendar Shah, son of Lakshman Shah, resident of Village- Kora Khargi, P.S.-Parsauni, District-Sitamarhi.

Respondent 2nd Set-Opposite Party 2nd Set.

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Appearance :

For the Appellant/s : Mr. Uma Kant Tiwary, Advocate
For the Respondent/s : Mr. Arun Kumar Bhagat, AC to AAG-12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 06-10-2018 Present Review Application has been preferred by the applicant- original appellant to review/recall the order passed by the Division Bench of this Court dated 28.03.2018 in Letters Patent Appeal No.1864 of 2017 by which the Division Bench dismissed the said Letters Patent Appeal on the ground that there was delay of 20 years in challenging the order passed by



the learned Single Judge dated 08.09.1998 passed in Civil Writ Jurisdiction Case No.10655 of 1997.

Learned counsel appearing on behalf of the applicant has made submissions as if he is making submissions in the main Letters Patent Appeal and/or we are sitting as Appellate Court against the order passed by the Division Bench which is sought to be reviewed. The same is not permissible.

It is the case on behalf of the applicant that certain aspects were not considered which were stated in the delay condonation application. However, considering the order sought to be reviewed it appears to the Court that while dismissing the appeal on the ground of delay of 20 years, the Division Bench had considered all the aspects of the matter.

No case is made out to exercise the review jurisdiction to recall/review the order passed by this Court in Letters Patent Appeal No. 1864 of 2017. Hence, the present application stands dismissed.

(Mukesh R. Shah, CJ)

(Rajeev Ranjan Prasad, J)

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