

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.560 of 2016

In

Civil Revision No.131 of 2016

Prakash Kumar Sinha, Son of Late B. Prasad, Resident of Hamidganj, P.S.- Dalgonganj, District- Palamu, Jharkhand at present residing at House No.20 (Flat No. I-A) Road No.1 at New Pataliputra Colony, P.S.- Patliputra, Town and District- Patna- 800013.

... .. Petitioner/s

Versus

Hiral Lal Sah, Son of Sri B.N. Sah, Resident of House No.20 (Flat No. IA), Road No.1 at New Pataliputra Colony, P.S.- Patliputra, Town and District- Patna- 800013.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 21-06-2018 There is no representation on behalf of the petitioner.

This review application has been filed seeking review of order, dated 23.09.2016, passed by this Court in Civil Revision no. 131 of 2016, whereby the Court below refused to interfere with the judgment and decree for eviction of the petitioner, dated 31.07.2017, passed in Eviction Case No. 120 of 2011.

Following are the grounds which have been taken in this application for review of the order dated 23.09.2016, passed by this Court in Civil Revision No. 131 of 2016 :-

“ B] For that there does not exist the relationship of tenant and landlord between the



review petitioner and opposite party.

C] For that the opposite party has made an agreement of sale, according to which has taken a major portion of amount out of the total consideration amount.

D] For that the review petitioner has filed a title suit bearing Title Suit No. 118 of 2012 for decree for specific performance in the light of the aforesaid Baibayana dated 17.04.2010.

E] For that the at one place the opposite party is making agreement for sale of the house in question and at another he files an eviction suit.

F] For that the review petitioner has been debarred from raising all issues in the learned court below on mere technicality.

G] For that the opposite party has not come with clean hands before the learned court below.

H] For that in the interest of justice, the present review application is fit to be allowed.”

In my view, no case for review of the judgment and order of this Court is made out, inasmuch as no ground has been taken that there is any error apparent on record nor any ground that despite due diligence any material could not be brought to



the notice of the Court leading to passing of the judgment and order under review.

This review application, in my view, is misconceived and is accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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