

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.277 of 2017

In

Letters Patent Appeal No.1476 of 2014

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Rameshwar Saha, son of Late Girdhari Prasad @ Tuntun Babu, resident of Forbesganj, Ward No.11, PO & PS- Forbesganj, District- Araria.

... Respondent-Appellant ... Petitioner/s

Versus

1. The State Of Bihar..
 2. The Divisional Commissioner, Purnia.
 3. The Collector, Araria.
 4. Deputy Collector, Land Reforms, Forbesganj, District- Araria.
....Respondent-Respondents.... Opposite Party 1st Set.
 5. Brij Mohan Prasad, son of Late Girdhari Prasad, resident of Village- Forbesganj, Ward No.11, PO & PS- Forbesganj, Araria.
 6. Kali Prasad Bhagat, son of Ram Chandra Bhagat, Proprietor of Beer Bar, resident of Forbesganj, Ward No.11, PO & PS- Forbesganj, Araria.
... Writ petitioner-Respondent ... Opposite Party 2nd Set.
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Appearance :

For the Petitioner/s : Mr. Uma Kant Tiwary

For the Respondent/s : Mr. Md. Khurshid Alam (Aag 12)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 19-12-2018

This civil review application is filed for review of the judgment and order of this Court dated 05.05.2017 passed in LPA No.1476 of 2014 wherein this Court taking note of the Division Bench pronouncement in the case of **Maheshwar Mandal vs. The State of Bihar** reported in **2014(3) PLJR 281** did not choose to interfere with the opinion expressed by the learned Single Judge in explaining the limited scope of exercise of jurisdiction by the statutory authority under the Bihar Land Disputes Resolution Act, 2009. It is because the judgment rendered by this Court in **Maheshwar Mandal Vs. State** was interfered with by the Supreme Court to order for remand



that the petitioners chose to prefer this civil review application. However, even on remand the situation does not change as the Division Bench on examination of the issues has again confirmed the legal position as settled by the Bench in its judgment reported in **2014(3) PLJR 281** which judgment on remand is reported in **2018(3) PLJR 1007 (Maheshwar Mandal vs. The State of Bihar)**.

In view of the position so settled by the Division Bench on remand of the matter in the case of **Maheshwar Mandal** (supra), Mr. Yogendra Mishra, learned counsel appearing for the review petitioner prays for withdrawal of this civil review application to enable the petitioner to take recourse to such lawful remedy as available to him.

As prayed, the civil review application is dismissed as withdrawn with the liberty so prayed.

(Jyoti Saran, J)

(Nilu Agrawal, J)

skpathak/-

AFR/NAFR	NAFR
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