

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.241 of 2017

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Dhirendra Kumar, Son of Rai Bahadur late Babu Lal Prasad, Resident of MIG House No.181, Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. Bihar State Housing Board through its Managing Director, 6, Sardar Patel Road, Patna. -1.
2. The Executive Engineer, Bihar State Housing Board, Patna, Division-1, Kankarbagh, P.S.- Patrakar Nagar, Distt. Patna. 800 020
3. The Assistant Engineer, Bihar State Housing Board, Patna, Division-1, Kankarbagh, P.S.- Patrakar Nagar, Patna-800 020
4. The Collector-cum-District Magistrate, Patna, Patna- 800004.
5. The District Land Acquisition Officer, Patna, Patna Collectorate, Patna-800004.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None.
For the Housing Board	:	Dr. Anand Kumar, Advocate Mr. Bipin Kumar 'Deo', Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 24-02-2020 Heard learned counsel for the parties.

2. The petitioner-plaintiff has put to challenge an order dated 19.08.2017 passed by learned Sub Judge-VI, Patna, in Title Suit No. 142/2016, whereby the application of the petitioner, resisting acceptance of written statement of defendants No. 1 to 3 has been dismissed and the written statement has been accepted by the court below.

3. There is no representation on behalf of the petitioner.



4. There are at least three orders passed in this case when the petitioner was allowed to remove the defects and deal with the defect of maintainability of the present civil revision application.

5. The Office has rightly pointed out the defect that the civil revision application cannot be maintained in view of the *proviso* to Section 115 of the Civil Procedure Code.

6. This application is, accordingly, dismissed as not maintainable.

(Chakradhari Sharan Singh, J)

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