

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.584 of 2018

In
Letters Patent Appeal No.1402 of 2014

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Om Prakash Sonu Son of Sri Ujjawal Prasad Resident of Ward no.16/11,
Sastri Nagar P.O. and P.S. Araria, District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary P.H.E.D. Vishwasaraiya Bhawan Bihar, Patna
3. The Engineer-in-Chief PHED, Vishwasaraiya Bhawan Bihar, Patna

4. The Chief Engineer, PHED, Bhagalpur Bihar
5. The Superintendent Engineer, PHED, Darbhanga
6. The Executive Engineer, PHED Araria
7. The Executive Engineer, PHED Munger
8. The District Development Commissioner, Araria
9. The District Panchayati Raj Officer Collectoriare Patna
10. The Executive Engineer, District Rural Development Organisation Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-03-2019

Re: I.A. No. 1 of 2019

Heard Shri Arjun Prasad, learned counsel for the
applicant.

We have considered the affidavit filed in support of
the delay condonation application and we find that sufficient



cause has been shown to condone the delay in filing the application. The delay is condoned and the Civil Review Application shall be treated to be within time.

I.A. No. 1 of 2019 stands allowed accordingly.

Re: Civil Review No. 584 of 2018

Shri Arjun Prasad Seeks an adjournment in the matter as the arguing counsel is not present.

We are not inclined to adjourn the matter, inasmuch as, we find from the record that the learned Single Judge in a matter of claim of payment on the basis of an agreement with the District Water and Cleaning Samiti, Araria dismissed the writ petition preferred by the applicant with a demand of higher rate of payments as was executed.

The learned Single Judge under judgment dated 15th May, 2014 categorically recorded that the said claim was not entertainable and the higher rate which is being claimed was only a proposal and which had not been finalized. Against that, a Letters Patent Appeal was preferred and the same was dismissed affirming the order of the learned Single Judge. This Review Application has been filed praying for review of the Division Bench judgment.

Having gone through the same, we do not find any



error apparent on the face of record so as to entertain this Review Application, which is accordingly consigned to records without prejudice to the rights of the applicant to claim any such payment that may be due to him otherwise than in accordance with law.

(Amreshwar Pratap Sahi, CJ)

(Nilu Agrawal, J)

P.K.P./-

AFR/NAFR	
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