

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.122 of 2014

In
Civil Writ Jurisdiction Case No.979 of 2014

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Naim Khalipha S/o Mahboob Darji Resident of Village Kabar, P.O. Kurasan,
P.S- Bhaba, Distt- Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector of Sasaram, Rohtas.
3. The Collector Kaimur at Bhabua.
4. The Sub- Divisional Officer (Civil) Bhabua, Kaimur.
5. The Circle Officer, Bhabua, Kaimur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh Mr.Ranjay Kumar Patel
For the State	:	Mr.Dhurjati Kr Prasad, GP 14

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 01-08-2019 Heard the learned counsel for the parties.

The petitioner is seeking review of the order dated 05.03.2014, passed in CWJC No. 979 of 2014, whereby the writ application was dismissed, mainly on the ground of delay and laches.

It appears from the order, under review dated 05.03.2014, that the petitioner had challenged an order dated 17.07.1987, passed by the District Collector, Rohtas in Case No. 23 of 1983-1984, whereby a proposal sent for settlement of a piece of land in favour of the petitioner's father, was rejected.



Noticing the fact that the petitioner's father had died when the order dated 17.07.1987 was passed, whereafter the certified copy of the order was obtained on 09.08.1988, this Court refused to accept the contention of the petitioner that he did not have any knowledge about passing of the order dated 17.07.1987.

Learned counsel for the petitioner has submitted that the order under review was passed because certain material facts, essential for proper adjudication of the case, could not be brought on record in the writ application. He submits that the petitioner's father had not died before the order of the Collector was passed on 17.07.1987, rather he died on 07.01.1989. A certificate issued by the Directorate of Statistics and Evaluation on 21.03.2014 has been brought on record by way of Annexure-1 to this review application to make out a case that the petitioner father had died after the order dated 17.07.1987 was passed and because of his ailment, he could not take steps to question the correctness of the order.

I do not intend to make any comment on the certificate, which the petitioner is said to have obtained after passing of the order of this Court dated 05.03.2014. The petitioner himself is not clear as to whether, even if the



settlement was made in favour of the petitioner's father, he could have inherited the same.

Be that as it may, I am not convinced with the submission advanced on behalf of the petitioner, which could have justified the delay of nearly 26 years in approaching this Court after the order dated 17.07.1987 was passed by the District Collector, Rohtas, refusing to settle the land in favour of the petitioner's father.

This review application is devoid of any merit and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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