

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.113 of 2018

In
SECOND APPEAL No.202 of 2006

1. Visweshwar Narayan Son of Late Sahdeo Mandal, resident of Mohalla Bari Khanjanpur Jatia Koyeri Lane, Ward No. 4, Police Station - Barari, District – Bhagalpur.

2. Ratan Mandal, son of Late Pairu Mandal, resident of Mohalla Bari Khanjanpur Jatia Koyeri Lane, Ward No. 4, Police Station - Barari, District – Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar through Collector, Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Naresh Singh

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-09-2019 Heard learned counsel for the petitioners on I.A.
No.8162 of 2018.

I.A. No.8162 of 2018 is filed for condonation of delay
of more than ten years in filing the civil review petition.

Learned counsel for the petitioners submits that the
father and the uncle of petitioner no.1 filed Second Appeal
No.202 of 2006.I.A. No.1417 of 2008 was filed for condonation
of delay in filing second appeal but the delay was not condoned
and consequently I.A. No.1417 of 2008 and Second Appeal
No.202 of 2006 were dismissed by order dated 07.03.2008.

Learned counsel for the petitioners submits that



petitioner no.1 is the son of one of the appellants of Second Appeal No.202 of 2006. The father of petitioner no.1 died and petitioner no.1 had no knowledge about the pendency of second appeal. It is apparent from the record itself that the appellants were heard and when the appellants failed to explain the delay in filing the second appeal, I.A. No.1417 of 2008 was dismissed and consequently since the appeal was hopelessly barred, the same was also dismissed. Petitioner no.1 being the son of one of the appellants filed this civil review petition and there is a delay of more than ten years but no explanation has been given in the petition for condoning the delay. In this view of the fact, I do not find any reason to condone the delay. Accordingly, I.A. 8162 of 2018 is dismissed. Consequently, this civil review petition is also dismissed.

(Prabhat Kumar Jha, J)

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