

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.410 of 2018

In
SECOND APPEAL No.560 of 2010

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1. Damodar Mandal and Ors
 2. Samodar Mandal
Both S/o Late Jugal Mandal
 3. Maya Devi W/o Bindeshwari Mandal,
All are resident of Village - Madhuban Tola Tintanga, P.S. - Udakishunganj,
District Madhepura.

... .. Petitioner/s

Versus

1. Jawahar Mandal S/o Late Suryug Prasad Mandal @ Late Saryug Mandal
2. Prahlad Kumar Mandal S/o Sri Jawahar Lal Mandal @ Jawahar Mandal
3. Manohar Mandal S/o Late Suryug Prasad Mandal @ Late Sauyug Mandal
All are resident of Village - Madhuban Tola Tintanga, P.S. - Udakishunganj,
District Madhepura.
4. The State of Bihar through Collector, Madhepura, District - Madhepura.
5. Sub-Divisional Officer, Udakishunganj, P.O. and P.S. Udakishunganj,
District Madhepura.
6. The Circle Officer, Udakishunganj, District - Madhepura.
7. Basudeo Mandal S/o Late Banwari Mandal, resident of Village-Madhuban
Tola Tintanga, P.S. Udakishunganj, District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Md. Khurshid Alam Aag 12

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-09-2019 Heard both sides on I.A. No.7301 of 2018 which is

filed for condonation of delay of more than five years and six

months.

Learned counsel for the petitioners submits that the

petitioners filed Second Appeal No.560 of 2010 against the



judgment and decree of reversal passed in title appeal. The second appeal was dismissed on 18.01.2013 at the admission stage itself holding that no substantial question of law is involved for consideration in the second appeal.

It is submitted that the petitioners have been paying rent till 2017 but the payment of rent till 2017 is not material fact. The second appeal filed by the petitioners was dismissed on 18.01.2013 but the petitioners did not file either review petition or S.L.P. against the judgment and decree passed in Second Appeal No.560 of 2010. The petitioners have not given any explanation for delay of more than five years and six months. Therefore, I find no reason to condone the delay in filing the civil review petition. Accordingly, I.A. No.7301 of 2018 is dismissed. Consequently, this civil review petition is also dismissed.

(Prabhat Kumar Jha, J)

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