

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.472 of 2018

In
CIVIL MISCELLANEOUS JURISDICTION No.497 of 2017

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Kamla Tiwary, Son of Late Hira Tiwary, Resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Vice Chancellor - Veer Kunwar Singh University, Ara, District- Bhojpur at Ara.
2. Jag Jiwan College, Ara through its Principal, Ara, District- Bhojpur at Ara.
3. Ram Niwas Mistri Son of Late Uma Mistri. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
4. Hiralal Mistri, Son of Late Uma Mistri, at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
5. Ram Narayan Vishwakarma, Son of Late Sona Sharma. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
6. Radha Krishna Vishwakarma, Son of Late Kesho Sharma. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
7. Shiv Narayan Vishwakarma, Son of Late Kesho Sharma, at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
8. Santosh Sharma, Son of Sri Shiv Shankar Vishwakarma. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
9. Din Dayal Ojha, Son of Late Gajadhar Ojha, at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
10. Smt. Bimla Devi Wife of Sri Din Dayal Ojha, at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
11. Sundrawati Devi, Wife of Sri Niwash Tiwary. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
12. Baby Tiwary, Wife of Ajay Kumar Tiwary. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
13. Ajay Kumar Tiwary, Son of Vishwanath Tiwary. at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.



14. Anita Mishra, Wife of Bhuneshwar Mishra, at present resident of Mohalla-Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara-Nawada, District- Bhojpur at Ara.
15. Pramod Kumar Shukla, Son of Sri Ram Shukla, at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
16. Ram Upadhyay, Son of Radha Kishun Upadhyay, at present resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
17. Laxman Sah, Son of Late Jagarnath Sah. Resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
18. Lilawati Devi, Wife of Kashi Nath Tiwary. Resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.
19. Prabhawati Mishra, Wife of Dharnidhar Mishra, Resident of Mohalla-Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara-Nawada, District- Bhojpur at Ara.
20. Jai Narayan Rai, Son of Late Ram Sundar Rai, Resident of Mohalla-Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara-Nawada, District- Bhojpur at Ara.
21. Suraj Pandey, Son of Late Ram Pukar Pandey, Resident of Mohalla- Shankar Nagar Chandwa, Near Chandwa More, Ara, Police Station- Ara- Nawada, District- Bhojpur at Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 18-04-2019 Heard the learned counsel for the petitioner.

The present review petition is filed for reviewing the order dated 06.09.2018 passed by this court in C. Misc. No. 497 of 2017. C. Misc. No. 497 of 2017 was filed against the order dated 07.02.2017 passed by learned Sub Judge-VIII, Bhojpur, Ara in Title Suit No. 456 of 2005 by which the learned Sub Judge rejected the petition of the petitioner for impleading



Meera Kumar as defendant No. 17.

C. Misc. No. 497 of 2017 was dismissed mainly on the ground that Meera Kumar is not a necessary party in the suit and the plaintiff does not seek any relief against her.

The learned counsel for the petitioner submits that right of easement of the plaintiff is being obstructed at the instance of Meera Kumar but there is no material on record to show that Meera Kumar is a necessary party. On plot No. 1129 road is said to have been constructed by the Municipal Corporation on which the petitioner seeks right of easement but there is no impleadment of facts that in absence of Meera Kumar the decree of easement cannot be passed and Meera Kumar is a necessary party.

Thus, I do not find any reason to interfere or review the order dated 06.09.2018 passed in C. Misc. No. 497 of 2017.

Accordingly, this review petition is dismissed as devoid of any merit.

(Prabhat Kumar Jha, J)

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