

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.184 of 2017

In
Second Appeal No.247 of 2014

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Kariman Kurmi & Ors

... .. Petitioner/s

Versus

The State Of Bihar & Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-01-2019 Even today nobody appears on behalf of the
petitioners to press this petition.

This review petition has been filed to review the
judgement dated 12.04.2017 passed in S. A. No. 247 of 2014 by
which the Second Appeal has been dismissed on the ground that
no substantial question of law is involved and the suit itself is
barred under Section 43 of the Bihar Land Ceiling Act.

The contention of the learned counsel for the
appellants is that by amendment the petitioner sought relief for
declaration of title and confirmation of possession but from
perusal of amendment petition by which para 10 (ka) has been
inserted it appears that the appellant stated that Late Bir
Bahadur Singh filed petition before Consolidation Officer,
Bhagalpur to prepare Chak Khata on the basis of Baxisnama and



Consolidation Officer found Bir Bahadur Singh in possession of the land and referred the matter to Dy Director, Consolidation but it appears that plaintiff/ appellant did not ever seek declaration of title and after considering the submission of learned counsel for the appellant and with regard to the facts about the amendment made in the plaint the Second Appeal was dismissed on merit. Therefore, I do not find any apparent error on the record.

Accordingly, this Civil Review petition is dismissed.

(Prabhat Kumar Jha, J)

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