

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.120 of 2018

In
Civil Writ Jurisdiction Case No.4985 of 2017

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1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Secretary, Urban Development and Housing Department, Government of Bihar, Patna.

... .. Respondent Nos. 1 and 2.....Petitioners.
Versus

1. Public Interest Litigation Forum, through Shashibhushan Kumar, Advocate, son of Late J.K. Gupta, resident of Lohia Nagar, P.S. Kankarbagh, District-Patna.
2. Ravineshware Dayal @ Ravi Dayal, son of Late Rajeshwar Dayal, resident of 503, R.D. Palace, near A.N. College, Boring Road, P.S. S.K. Puri, Patna.
.....Petitioners/Opposite Parties 1st Set.
3. The Managing Director, Bihar State Housing Board, Bihar, Patna.
4. The Secretary, Bihar State Housing Board, Bihar, Patna.
.....Respondent Nos. 3 & 4....Opposite
Parties 2nd Set.

Appearance :

For the Petitioners : Mr. Lalit Kishore, Advocate General, and Mr. Hari Shankar Roy, Advocate.
For the Opposite Parties : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA)

3 24-04-2019 Heard Mr. Lalit Kishore, learned Advocate General
appearing for the petitioners.

This review petition is filed for the limited purpose
that the words ‘Statutory Tribunal’ should be ‘Authority’ under
the Act. The State Government issued ‘Digha Land Acquired
Settlement Act, 2010’ (hereinafter referred for the sake of



brevity 'Act of 2010'). The word 'Authority' is defined under Section 2(d) and the authority is to be constituted under Section 9 of the Act but due to inadvertence in place of 'Authority' the 'Statutory Tribunal' has been mentioned in paragraph no. 3 of the order dated 18.05.2017, passed in C.W.J.C. No. 4985 of 2017, which is evident from perusal of the provisions of Section 2(d) and Section 9 of the Act that in place of the words 'Statutory Tribunal' there should have been 'Authority' to be constituted under Section 9 of the Act, consisting of three members presided over by the Chairperson.

In this view of the fact that the 'Authority' has already been constituted under the Act, the words 'Statutory Tribunal' be construed as the 'Authority' under the Act, this civil review application stands disposed of and the order dated 18.05.2017, passed in C.W.J.C.No. 4985 of 2017, is modified to the extent as indicated above.

(Prabhat Kumar Jha, J)

U.K./-

(Sudhir Singh, J)

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