

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.101 of 2018

In
Letters Patent Appeal No.1955 of 2012

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1. The Secretary To The Government Of Bihar
 2. The Registrar, Co-operative Societies, Bihar, Patna.
 3. The District Co-operative Officer, Bhojpur, Ara.
 4. The Assistant Registrar, Co-operative Societies, Ara Anchal, Ara.

... .. Petitioner/s

Versus

1. Om Krishak Sewa Swablambi Sahkari Samiti Ltd. and Ors son of Sri Kamla Singh
2. The State of Bihar through the Secretary, Department of Food and Consumer Protection, Bihar, Patna.
3. The District Officer, Bhojpur, Ara.
4. The Nodel Officer Procurement, Bhojpur, Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishwambhar Prasad, Adv.
For the Opposite Party/s :		Mr.S.Raza Ahmad AAG 5
For Respondent No.1		Mr. Om Prakash Singh (in person)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 19-02-2020

I.A. No.2892 of 2018

Having heard learned Counsel for the parties, we are satisfied that the delay has been sufficiently explained. The delay condonation application is allowed. The application is treated to be within time.

C. Review No.101 of 2018



The application filed on 10.4.2018 is listed for hearing for the first time today before the Court.

This review application has been preferred for review of the order dated 7.9.2017, passed in L.P.A. No.1955 of 2012, titled as State of Bihar & Ors. Vs. Om Krishak Seva Swavlambi Samiti Ltd. by a Division Bench of this Court by which the the State respondents were directed to calculate procurement incentive at the rate of Rs.50 per quintal and pay the amount to the Om Krishak Seva Swavlambi Samiti Ltd.

The error, factual in nature, sought to be pointed out in this review application, cannot be allowed to be so done, moreso, when the review applicant failed to make necessary correction either before the Writ Court or the Appellate Court, which is now sought to be agitated by this review application. Such error ought to have been brought to the notice of the Court at first point in time.

We do not find any reason to interfere with the well considered judgment rendered by a Co-ordinate Bench of this Court. In our considered view, there is neither any mistake nor error apparent on the face of record or sufficient reason so as to take in its sweep, a ground analogous to those specified in the statutory provisions. There is no material error, manifest on the



face of the order, undermining its soundness or resulting into miscarriage of justice. Review is not an appeal in disguise entitling the party to be reheard, simply because the party wants a decision to be otherwise.

Keeping in view the principles laid down in Kamlesh Verma Versus Mayawati and others, (2013) 8 SCC 320 and Medical Council of India Versus Christian Medical College, Vellore & Ors., (2016) 4 SCC 342 , present petition, being devoid of merit, is dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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