

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.3 of 2022

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1. Babban Yadav Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 2. Suresh Yadav Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 3. Ram Bihari Yadav, Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 4. Sidhari Yadav, Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 5. Manoj Yadav, Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 6. Bachchu Yadav, Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 7. Jitu Yadav, Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.
 8. Naresh Yadav, Son of Late Tunni Mahto @ Tunni Yadav Resident of Village - Tiura, Police Station and Anchal - Naunatta, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Rohtas, District - Rohtas.
2. Anchaladhikari, Naunatta Anchal, P.O. and Police Station- Naunatta, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate
For the Respondent/s : Md. Khurshid Alam, G.P

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

15 13-07-2023 The learned counsel for the petitioners submits that the office has raised the issue of maintainability on the ground that no civil revision would be maintainable in the matter and proper remedy would be by filing a second appeal against the impugned decision, in the light of the decision of the Hon'ble Supreme Court in the case of *Shyam Sunder Ram Vs. Pannalal*



reported in *AIR 2005 SC 2006* as well as *the order dated 26.10.2016* passed in *Civil Misc. No.920 of 2016* of this Court. The learned counsel, thus, seeks permission to withdraw the present revision petition with liberty to file a second appeal.

2. Permission is accorded.

3. Accordingly, this revision petition is dismissed as withdrawn with the aforesaid liberty granted to the petitioners.

(Arun Kumar Jha, J)

V.K.Pandey/-

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