

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.386 of 2016
In
FIRST APPEAL No.28 of 2013

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Shri Shatrughan Sah son of Late Chulhua sah resident of Balbhadra Bhawan
Parvati Part New Chitra Gupta Nagar ,P.S.. Patna 800020

... .. Petitioner

Versus

1. M/s Orb Developers Pvt. Ltd. Through its Managing Director Sri Rakesh Kumar Singh.
2. Sri Rakesh Kumar Singh Son of Late Ram Bahadur Singh, Resident of House No.96, Gandhi Nagar, Boring Road, Patna-800001.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Ramadhar Singh, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 31-07-2023 Heard learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that the views expressed by the learned Court saying that the defendant is not required to file a cross-objection against the finding and the Court proceeding to decide the question under Order XLI Rule 22 C.P.C. is an erroneous view.

3. Learned counsel further submits that in Paragraph '29' of the judgment under review the learned Court has taken a view that the purchaser is the owner of the property but the learned Court did not appreciate that the plaintiff had taken all possible steps and had shown his willingness to pay the amount under the agreement to the original owner.

4. On the submissions advanced on behalf of the



petitioner, this Court finds that learned counsel for the petitioner wants to re-argue the matter in the garb of a civil review application, he is trying to assail the judgment under review. No error apparent on the face of the record has been pointed out to this Court.

5. In the aforesaid view of the matter, this Court finds no valid ground to review the impugned judgment.

6. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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