

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.140 of 2023

In
Civil Writ Jurisdiction Case No.5869 of 2023

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Amvika Prasad, S/O Late Ramagya Prasad, Resident of Marwari Mohalla,
Ward No. 14, P.O.- Narkatiaganj Pin 845455, P.S.- Shkarpur, District- West
Champaran.

... .. Petitioner/s

Versus

1. Chairman, Bihar State Religious Trust Board, Vidyapati Marg, Patna-800001.
2. Radha Bihari Ojha, the than Circle Officer, Narkatiaganj, West Champaran through Secretary, Land Reforms and revenue Department, Government of Bihar, Patna.
3. Pt. Satyanarain Shukla, S/o - Late Suryabali Shukla, Self Styled Priest cum Manager Shri Satya Narain Bhagwan Ka Mandir Mukhiya Jee Chowk, Narkatiaganj, West Champaran.
4. Upendar Pandey, S/o Late Jatashankar Pdey, Address - Pandey Tola, Narkatiaganj, West Champaran, the then Priest of Shri Satya Narain Bhagwan Ka Mandir at Mukhiya Jee Chowk Narkatiaganj, West Champaran.
5. Sub-Divisional Officer, Narkatiaganj, West Champaran.
6. Vishwanath Prasad Jhujhunwala Trustee, Shri Satya Naraian Bhagwan Temple. Address- Lal Bazar, Near Power House, P.O. Bettiah, P.S.- Bettiah, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Amvika Prasad (In Person)
For the Opposite Party : Dr. K. N. Singh, ASG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

2 22-09-2023 1. The instant review application has been filed

by the petitioner in person.



2. When the matter is taken up today, petitioner has submitted that the findings recorded in the main proceedings (*CWJC No. 5869 of 2023*) regarding lack of public interest and existence of a private civil dispute between the parties is not correct. The petitioner has submitted that there is no personal interest of the petitioner as he has not claimed any right in the temple or its management.

3. Having heard the petitioner in person, this court would observe that the petitioner cannot be permitted to make submissions with respect to the findings recorded in the writ proceedings (*CWJC No. 5869 of 2023*) *de novo*, in the garb of review.

4. It is trite law that a review is not rehearing of the main matter. Review would lie where an error is apparent on the face of the order/record without much debate or argument. In this connection, this court would refer to the decision of the Hon'ble Apex Court in the case of *Asharfi Devi versus State of Uttar Pradesh and Ors.* reported in *(2019) 5 SCC 86* and in the case of *High Court of Tripura versus Tirtha Sarathi Mukherjee and Ors.* reported in *(2019) 16 SCC 663*.

5. We are thus of the opinion that the review application is misconceived and the same is accordingly



dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

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