

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.11 of 2022

In
Civil Writ Jurisdiction Case No.2932 of 2021

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Malti Devi W/o Late Ganga Pandit Resident of Thatheri Bazar, I.T. More,
Ashok Rajpath, P.O. Mahendru, PS Pirbahore, District- Patna.

... .. Petitioner/s

Versus

1. South Bihar Power Distribution Company Limited through its Managing Director (formerly Bihar State Electricity Board), Vidyut Bhawan, Baily Road, Patna.
2. The Executive Engineer (Electrical), South Bihar Power Distribution Company Limited, Electric Supply Division, Bandar Bagicha, Dak Bunglow Road, Patna.
3. The Assistant Electrical Engineer, South Bihar Power Distribution Company Limited, Electric Supply Division, Bandar Bagicha, Dak Bunglow Road, Patna.
4. The Electrical Superintending Engineer, South Bihar Power Distribution Company Limited, Shivalaya Market, Patna- 800004.
5. The Junior Electrical Engineer, South Bihar Power Distribution Company Limited, Electric Supply Sub- Division, Patna University Campus (Allahabad Bank), Patna- 800004
6. Sunil Kumar Nanda S/o Late Ganga Pandit Resident of Thatheri Bazar, I.T. More, Ashok Rajpath, P.O. Mahendru, PS- Pirbahore, District- Patna.
7. Sachin Kumar Junior Electrical Engineer, South Bihar Power Distribution Company Limited, Electric Supply Sub- Division, Patna University Campus (Allahabad Bank), Patna- 800004.
8. Rupa Kumari W/o Dr. Arvind Kumar Nanda
9. Dr. Arvind Kumar Nanda S/o Late Ganga Pandit
Both are resident of Flat No. G-4, Block-B, Terrace Gardenia, Ashiyana Digha Road, P.S. Rajiv Nagar, District- Patna, 800014.
(Address wrongly and deliberately mentioned in the writ petition as resident of Mohalla- Thatheri Bazar (N.I.T. More, Ashok Rajpath), P.O.- Mahendru, P.S.- Pirbahore, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Masoom Alam, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER



(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 16-01-2024

1. The present civil review by Malti Devi to recall the order dated 20.12.2021 passed in C.W.J.C. No.2932 of 2021.

2. Learned counsel for the review petitioner submitted that Malti Devi is the owner of subject matter of property in respect of electricity connection. It is undisputed that review petitioner is mother-in-law of Rupa Kumari -original petitioner. The review petitioner's apprehension and speculation is that Rupa Kumari is likely to claim right over the subject matter of property in the guise of obtaining electricity connection. Hence the present civil review has been filed. It is also submitted that review petitioner has not been arrayed as necessary and proper party to the original CWJC, she being the owner of subject matter of premise.

3. Heard the learned counsel for the review petitioner.

4. If respondent Rupa Kumari and Dr. Arvind Kumar Nanda are residing in the subject matter of premises, and it is with reference to relationship with the review petitioner to the extent that review petitioner Malti Devi is mother-in-law of Rupa Kumari. Therefore, there can't be any relationship of landlord and tenant.

5. Merely, filing a writ petition and seeking electricity



connection by daughter-in-law of review petitioner that does not give any right to review petitioner. If there are any disputed issue among the respective parties in respect of staying in the review petitioner's property by Rupa Kumari and Dr. Arvind Kumar Nanda in that event petitioner has a remedy of filing civil suit. At this stage learned counsel for the review petitioner submitted that civil suit is already pending consideration.

6. Taking note of these facts and circumstances, review petitioner has not made out a case so as to interfere with the order dated 20.12.2021 passed in CWJC No.2932 of 2021.

7. Accordingly, civil petition stands dismissed.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

Prakash Narayan

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