

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.117 of 2019

In
Civil Writ Jurisdiction Case No.18007 of 2017

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Ram Jee Singh S/o Sri Ramashish Singh Resident of Village-Bahuwara,P.O.
Sisradh,P.S. Rajpur,Dist.-Buxar 802122

... .. Petitioner

Versus

1. Shree Deepak Kumar, The Chief Secretary, Govt. Of Bihar, Patna
2. Shree Brejesh Mehrotra, The Principal Secretary of Land Reform Department Bihar,Patna-15.
3. Shree Anand Kishore, The Commissioner of Patna Division.
4. Shree Raghwendra Singh, The District Collector,Buxar
5. Shree K.K. Upadhya, The Sub-Divisional Officer,Buxar
6. Shree Awdhesh Prasad, The Circle Officer,Rajpur,Buxar.
7. Shree Raj Kumar Pandey, The Anchal Amin Anchal Rajpur,Buxar
8. Shree Sidheshwar Rai, The Halka Karmchari,Mauja-Sisradh,Buxar
9. Ram Suresh Singh S/o Late Ram Awatar Singh Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
10. Lalan Singh S/o Late Ram Awatar Singh Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
11. Ram Niwas Singh S/o Late Ram Awatar Singh Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
12. Dhaneshwari Devi W/o Shiv Shankar Singh Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
13. Ghurhu Singh S/o Late Bajju Singh Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
14. Widow Laxhimina Devi W/o Late Brij Bihari Paswan Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
15. Yamuna Paswan S/o Doman Paswan Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
16. Shiv Bihari Paswan S/o Yamuna Paswan Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
17. Suglal S/o Nakha Singh Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
18. Dina Nath Paswan S/o Sri Butan Paswan Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
19. Kameshwar Paswan S/o Sri Butan Paswan Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122
20. Motilal Kamkar S/o Late Bishwa Nath Kamkar Resident of Village-Bahuara,P.O. Sisradh,P.S. Rajpur,Dist.-Buxar-802122



21. Shiv Lakhan Kamkar S/o Late Bishwa Nath Kamkar Resident of Village- Bahuara, P.O. Sisradh, P.S. Rajpur, Dist.-Buxar-802122
22. Shiv Muni Kamakar S/o Late Bishwa Nath Kamkar Resident of Village- Bahuara, P.O. Sisradh, P.S. Rajpur, Dist.-Buxar-802122

... .. Opposite Party/s

with
CIVIL REVIEW No. 126 of 2019
In
Civil Writ Jurisdiction Case No.18007 of 2017

1. Ghurhu Singh @ Paras Nath Singh Son of Late Baiju Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
2. Ram Suresh Singh Son of Late Ram Awtar Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
3. Ram Niwas Singh Son of Late Ram Awtar Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
4. Lalan Singh Son of Late Ram Awtar Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
5. Dhaneshwari Devi Wife of Shiv Shankar Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
6. Shiv Bihari Paswan Son of Sri Yamuna Paswan Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
7. Kameshwar Paswan Son of Butan Paswan Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
8. Dina Nath Paswan Son of Butan Paswan Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
9. Most. Laxminia Devi @ Laxmina Devi Wife of Late Braj Bihari Paswan Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, government of Bihar, Patna.
2. The Principal Secretary of Land Reform Department Bihar, Patna.
3. The Commissioner Patna.
4. The District Collector District - Buxar.
5. The Sub-Divisional Officer Buxar.
6. The Circle Officer Rajpur.
7. The Anchal Amin Anchal - Rajpur.
8. The Halka Karmchari Mauja - Sisradh.



9. Yamuna Paswan Son of Doman Paswan Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
10. Suglal Son of Nakha Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
11. Motilal Kamkar Son of Late Vishwanath Kamkar Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
12. Shiv Lakhan Kamkar Son of Late Vishwanath Kamkar Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
13. Shiv Muni Kamkar Son of Late Vishwanath Kamkar Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.
14. Ram jee Singh Son of Sri Ramashish Singh Resident of Village- Sisradh, Tola- Bahuara, Police Station- Rajpur in the district of Buxar.

... .. Opposite Party/s

Appearance :

(In Miscellaneous Jurisdiction Case No. 117 of 2019)

For the Petitioner/s : Mr.Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Khurshid Alam, Advocate

(In CIVIL REVIEW No. 126 of 2019)

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

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

6 02-07-2024

Civil Review No. 126 of 2019

Review petitioners have sought for reviewing the order dated 31.01.2018 passed in C.W.J.C. No. 18007 of 2017. No doubt, this Court has not issued notice to the contesting respondents in C.W.J.C. No. 18007 of 2017, however, only a mandamus has been issued to the concerned authority to execute the order of the District Magistrate dated 20.04.2018.



2. If the review petitioners are aggrieved by the order of the District Magistrate to the extent that their rights are likely to be affected, in that event, they had statutory remedy before the appropriate forum or before this Court. They have not exercised such remedy. That apart, review petitioner is stated to have filed a Title Suit in respect of subject matter of land. Taking note of these facts and circumstances, the present Civil Review is not maintainable, since, no adverse order has been passed by the co-ordinate Bench so as to affecting the review petitioners' right. On the other hand what has been ordered is only a direction to the concerned authority to execute the order of the District Magistrate dated 20.04.2018.

3. Perusal of the records, if the District Magistrate order is affecting the review petitioners' right, in that event, he has statutory remedy and it has not been invoked. Accordingly, review petitioners have not made out a case. Hence, Civil Review No. 126 of 2019 stands dismissed.

4. In the contempt matter, finally two weeks' time is granted to comply the directions of this Court, failing which adverse order would be passed for the reasons that



the present contempt matter is pending consideration for the last five years.

5. List this matter on 16.07.2024.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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