

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.183 of 2022

In
Civil Writ Jurisdiction Case No.3649 of 2020

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Uttar Bihar Gramin Bank Head Office- Kalambagh Chowk, Muzaffarpur
through its Senior Manager (Law), Mr. Kuldip Prasad Yadav.

... .. Petitioner/s

Versus

1. Reserve Bank of India Patna Branch, Issue Department, South Gandhi Maidan, Patna through its Deputy General Manager.
2. The Manager, Reserve Bank of India, Issue Department, South Gandhi Maidan, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Sinha, Sr. Advocate Mr.Ajit Kumar Sinha Advocate Ms.Dilkash Khan, Advocate
For the Opposite Party/s :		Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

4 22-11-2024 The present civil review has been filed to review the order dated 27.06.2022 passed in CWJC No. 3649 of 2020 of the Co-ordinate Bench. Learned counsel for the review petitioner submitted that on Page No. 3 of Co-ordinate Bench recorded as follows:-

“ This Court does not find any infirmity in the action of the Reserve Bank of India in refusing to exchange the notes for the reasons which are evident above. In any case, much time has lapsed since this request was declined in 2017 and the present petition was filed in 2020 besides the



petitioner's Bank wanted that the notes be exchanged. A query has also been put to learned counsel for the petitioner whether the request for exchange of notes was beyond the cut of date fixed by the Government of India, no clear answer is forthcoming."

2. Inadvertently, learned counsel for the review petitioner could not apprise the Co-ordinate Bench in pointing out cut-off date for exchange of demonitised notes was 31.03.2017. It is also submitted that first time review petitioner was stated to have requested the R.B.I for exchange of notes on 21.03.2017. Therefore, their request for exchange of notes was within the time limit stipulated by the R.B.I. Hence, the matter requires for review.

3. No doubt, factual aspects has been apprised in the review petition only to the extent of last date for exchange of notes fixed by the R.B.I was 31.03.2017 and the fact that review petitioner has filed application for exchange of notes on 21.03.2017. On the other hand, writ petition was filed in the year 2020. There are laches on the part of the petitioner. Merely, making internal correspondence with the R.B.I. does not lay hands for condonation of delay and laches in filing writ petition and the same has been taken note by the Co-ordinate Bench.

4. In the light of these facts and circumstances, the



scope of review is limited. Hon'ble Supreme Court in the case of *S.Murali Sundaram vs. Jothibai Kannan & Ors.* reported in *2023 SCC OnLine SC 185* elaborately considered under what circumstances Courts can review its own order. Recently in yet another decision in the case of *Sanjay Kumar Agarwal v. State Tax Officer (1) & Anr.* reported in *2023 SCC OnLine SC 1406* Supreme Court observed eight principles under what circumstances civil review is permissible under Section 114 of the Limitation Act read with Order 47 Rule 1 CPC. In the light of observation made by the Hon'ble Supreme Court, the present civil review is not entertainable. Accordingly, the present Civil Review No. 183 of 2022 stands dismissed.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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