

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.210 of 2023

In
Civil Writ Jurisdiction Case No.18414 of 2017

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Ram Pravesh Ray Son of Okil Ray Resident of Village-Saristabad. P.S.-
Gardanibagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna. District-Patna.
4. The Deputy Collector, Land Reforms, Patna Sadar, Patna.
5. The Circle Officer, Patna, District-Patna.
6. Sri Mithlesh Kumar, the then D.C.L.R. (23.01.2017) through Principal Secretary, General Administrative Department, Government of Bihar, Patna
7. Kameshwar Prasad Singh Son of Late Sakaldip Rai Resident of Village - Gopalpur Kandap, P.S. - Phulwarisharif, District - Patna.
8. Sri Basant Kumar Son of Deknarayan Rai Resident of Mohalla-Saristabad, P.S.-Gardanibagh, District-Patna.-

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 13-03-2024 Heard learned counsel for the parties.

2. The sole question which has arisen in this Civil Review application is that the order dated 06.04.2023 has been passed in C.W.J.C. No. 18414 of 2017 without hearing the present petitioner who is a necessary party as it has been submitted by the petitioner that a Title Suit No. 9 of 2002 is pending between the parties.

3. Learned counsel for the respondent-writ petitioner



has submitted that it is a Testamentary Suit and only three plots are common in both the suits and therefore, there was no need of adding the petitioner as respondent in the writ petition.

4. I have considered the submissions of the parties.

5. The writ petition should have been filed by making all the necessary and proper parties as respondents by the writ petitioner and the order dated 06.04.2023 has been passed without hearing the petitioner.

6. In these circumstances, the order dated 06.04.2023 is recalled. The review application is allowed.

7. The writ petition is directed to be heard by an appropriate Bench as per roster.

8. The respondents are expected to make the petitioner as party in C.W.J.C. No. 18414 of 2017.

(Sandeep Kumar, J)

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