

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.4 of 2019**

**In
Letters Patent Appeal No.174 of 2018**

Subhash Kumar Ram Son of Sri shankar Ram Residence of VillagePost
Office-Barnav,P.S. Ayar,Dist.-Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Govt. of Bihar,Patna
3. The Principal Secretary, General Administration Department, Bihar,Patna
4. The Commissioner, Munger Commissioner,Munger
5. The District Magistrate, Begusarai
6. The Additional District Magistrate, Begusarai
7. The Additional Collector, Department of Enquiry Office, Begusarai
8. The Director General-cum-Inspector General of Police, Bihar, Patna
9. The Inspector General of Police, Crime Investigation Department, Bihar, Patna
10. The Chairman, State Scheduled Caste Commission, Bihar, Patna
11. The Deputy Secretary, State Scheduled Caste Commission, Bihar, Patna
12. Mr. Akhileshwar Jha, Deputy Collector (Establishment), Begusarai
Collectorate, Begusarai
13. Mr. Gulab Chand, the Land Acquisition Officer, Begusarai Collectorate,
Begusarai
14. Umnesh Yadav Son of Not Known, Clerk, District Land Acquisition
Office Begusrai Collectorate, Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Ram(In person)
For the Opposite Party/s : Mr. Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

And

HONOURABLE MR. JUSTICE S. B. PD. SINGH

CAV JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. B. PD. SINGH)

Date : 02-05-2025

Heard the parties.

2. The review petitioner has assailed the
judgment of the coordinate Bench dated 06.12.2018 passed

in L.P.A. No. 174 of 2028, whereby the petitioner was directed to approach before the Scheduled Caste Commission for redressal of his grievances.

3. Perused the order passed in L.P.A and heard the arguments advanced on behalf of the parties.

4. We find that the Scheduled Caste Commission has ample powers to decide any matter placed before it or to call for any report, if required, to any competent authority.

5. The petitioner is at liberty to approach the Scheduled Caste Commission for redressal of his grievances. Upon approaching the Scheduled Caste Commission by the petitioner, the matter of the petitioner would be considered and appropriate action would be taken in the matter.

6. In view of the fact that the scope of review petition under Order 47 Rule 1 of CPC is limited. The Hon'ble Supreme Court in the case of *Sanjay Kumar Agarwal v. State Tax Officer (1) & Anr.* reported in 2023 SCC OnLine SC 1406 laid down the guidelines in paragraph-16, under what circumstances, Court can review

its own order. They are as under:

“16. The gist of the afore-stated decisions is that:—

(i) A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.

(ii) A judgment pronounced by the Court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.

(iii) An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record justifying the court to exercise its power of review.

(iv) In exercise of the jurisdiction under Order 47 Rule 1 CPC, it is not permissible for an erroneous decision to be “reheard and corrected.”

(v) A Review Petition has a limited purpose and cannot be allowed to be “an appeal in disguise.”

(vi) Under the guise of review, the petitioner cannot be permitted to reagitate and reargue the questions

which have already been addressed and decided.

(vii) An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.

(viii) Even the change in law or subsequent decision/judgment of a co-ordinate or larger Bench by itself cannot be regarded as a ground for review.”

7. Review petitioner has not made out case with reference to the aforementioned principle.

8. In the light of these facts and circumstances, the present Civil Review stands dismissed.

9. Pending I.A., if any, stands disposed of.

(S. B. Pd. Singh, J)

(P. B. Bajanthri, J)

Shageer/-

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