

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.28 of 2021

In
Civil Writ Jurisdiction Case No.25500 of 2019

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1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Public Health and Engineering Department, Government of Bihar, Patna.
 3. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Public Health and Engineering Department, Government of Bihar, Patna.
 4. That Chief Engineer Mechanical, Public Health and Engineering Department, Government of Bihar, Patna.
 5. The Superintending Engineer, Public Health Mechanical Circle, Muzaffarpur.
 6. The Executive Engineer, Public Health Mechanical Division, Darbhanga.

... .. Petitioner/s

Versus

Raja Ram Singh Son of Late Asharfi Singh, Resident of Village and P.O. - Kothli Majhiama, P.S. - Keoti, District - Darbhanga, presently posted as Jeep Driver, Public Health Mechanical Division, Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Kamil Akhtar, Advocate

For the Opposite Party/s : Mr. Shashi Bhushan Kumar Manglam, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-04-2025 Heard the parties.

2. The present appeal has been preferred for the grant
of following relief:

*“The instant review application is being filed for
reviewing the judgment and order dated
19.12.2019 passed in CWJC No. 25500 of 2019
by the Hon'ble Mr. Justice Anil Kumar
Upadhyay (as his lordship then was) whereby*



and where under the writ petition filed by the present respondent has been disposed of.”

3. The order of the Writ Court dated 19.12.2019 in CWJC No. 25500 of 2019 was simply disposed of with a direction to the respondents to examine the claim of the petitioner Raja Ram Singh in the light of the Full Bench decision in the case of Birendra Nath Tiwari Vs. The State of Bihar & Ors. Reported in 2019(4) BLJ 652 (PHC).

4. A perusal of the order would show that the Hon'ble Court simply directed the respondents to examine the claim and they were to pass a reasoned order either to accept or reject the said claim. Instead two years later, a defective review petition was filed without even annexing the order dated 19.12.2019 passed by the Hon'ble Court in CWJC No. 25500 of 2019.

5. Not only that, the stamp report dated 06.07.2021 shows that multiple defects is/are there. Clearly, the respondents wanted to linger the matter which can be reflected from the fact that since 2019 when the order was passed, we are in the year 2025 and six years have gone without even the defects having been removed.

6. Certainly, the State which was simply directed to examine and dispose of the representation of the petitioner



Raja Ram Singh, has abused the process of law and the seriousness can be reflected from the fact that it remained defective for four long years. It is to be noted that the Joint Registrar (Judicial) on 25.02.2022 allowed learned counsel for the State to remove the defect nos. 1 to 7 by 25.03.2022.

7. In view of the fact that a defective Review Petition remains pending for four long years and even otherwise, the direction of the Writ Court was only to examine and dispose of the representation of the petitioner Raja Ram Singh, the writ petition stands dismissed with a cost of Rs.2,000/- to be deposited with the Patna High Court Legal Services Committee within a period of two weeks and the receipt has to be submitted in the office.

8. List this case under the heading 'To Be Mentioned' on 09.05.2025 to peruse the receipt filed by the State.

(Rajiv Roy, J)

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