

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.195 of 2022

In
CIVIL MISCELLANEOUS JURISDICTION No.393 of 2019

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Lalpari Kunwar @ Lalpari Devi wife of Yamuna Ray, Resident of Village-
Gang- Sargatti, Police Station-Khaira, District- Saran.

... .. Petitioner/s

Versus

1. Tara Devi wife of Dhaneshwar Ray, Resident of Village - Gang-Sargatti,
Police Station- Khaira, District- Saran.
2. Kedar Ray son of Chandradip Ray, Resident of Village - Gang-Sargatti,
Police Station- Khaira, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-07-2025 Heard the parties.

2. The present review petition has been preferred for
the following relief(s):

*“for reviewing the order dated
11.07.2019 passed by the [Hon’ble Mr. Justice
Ashwani Kumar Singh (as his lordship then was)]
in C. Misc. No. 393 of 2019.”*

3. The petitioner preferred writ petition for the
following relief:

*“for issuance of appropriate writ or
writs, direction or directions, order or orders
setting aside the order dated 01.11.2018 passed*



by the learned Court of Munsif-I Saran at Chapra, vide Title Suit No. 42 of 2006 by which petition dated 03.08.2018 filed on behalf of the plaintiff-petitioner for marking exhibit the C.C. of sale deed dated 17.05.1974, khatiyan of khata no. 4 and 16 and sale deed dated 16.03.2005 has been rejected.”

4. A Bench of this Court [Hon’ble Mr. Justice Ashwani Kumar Singh (as his lordship then was)] vide an order dated 11.07.2019 having taken note of the fact that in a suit of the year 2006, the petitioner had ample opportunity to lead evidence till 2014 and it was only in the midst of argument, on 02.08.2018, that an application was filed for marking the certified copy of document as exhibit. In that background, the learned Munsif rightly rejected the application of the petitioner.

5. The relevant paragraph nos. 7 to 9 are incorporated hereinbelow:

“7. Having regard to the facts and circumstances, I find that in a suit of 2006, the plaintiff had ample opportunity to lead evidence till 2014. The plaintiff has also brought on record



the original sale deed, which has been marked as Ext.1. After closure of the evidence on behalf of the plaintiff-petitioner on 18.02.2014, the defence also led its evidence and, after the closure of the evidence on behalf of the parties, the arguments commenced on 19.07.2017. In the midst of argument, suddenly, on 02.08.2018, the petitioner filed an application for marking a certified copy of a document as exhibit, the original of which was already marked exhibit earlier, without assigning any reason as to why the said document could not be produced earlier in evidence.

8. Considering the facts and circumstances of the case, the learned Munsif rightly rejected the application of the petitioner.

9. The application, being devoid of any merit, is dismissed.”

6. Learned counsel for the petitioner submits that the document was on record that could not be marked.

7. Upon query that why it was delayed for number of years and only after the arguments were advanced, the



petitioner came out of deep slumber, there is no answer.

8. In that background, this Court do not find any merit in the review petition preferred by the petitioner, accordingly, the review petition stands dismissed.

(Rajiv Roy, J)

Adnan/-

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