

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.12 of 2024

In
Civil Writ Jurisdiction Case No.451 of 2020

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Nirmal Kumar Sharma Son of Late Nath Bihari Sharma, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.

... .. Petitioner/s

Versus

1. Shambhu Singh son of Late Somari Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
2. Tuntun Singh, son of Late Somari Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
3. Shankar Singh, son of Late Somari Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
- 4.1. Dulari Devi Wife of Late Gyani Singh Resident of Village - Chakhusaini, Ward No. 13, P.O. and P.S. - Mansi, District- Khagaria.
- 4.2. Sanjeev Kumar Son of Late Gyani Singh Resident of Village - Chakhusaini, Ward No. 13, P.O. and P.S. - Mansi, District- Khagaria.
- 4.3. Sujit Kumar Son of Late Gyani Singh Resident of Village - Chakhusaini, Ward No. 13, P.O. and P.S. - Mansi, District- Khagaria.
5. Ranjeet Singh @ Munna Singh son of Late Baleshwar Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
6. Shomar Singh, son of Karelal Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
7. Ghoghal Singh, son of Karelal Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
8. Devendra Singh, son of Late Bhagwat Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
9. Surendra Singh, son of Anandi Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
10. Manju Devi, wife of Upendra Singh and D/o Late Lakshmi Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
11. Subhash Singh @ Subhash Chandra Singh, son of Late Gobardhan Singh, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
12. Raj Kishore Sharma, son of Late Rameshwar Sharma, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
13. Subodh Sharma, son of Chhotelal Sharma, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
14. Suresh Sharma, son of Late Paro Sharma, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
15. Zeera Devi Wife of Late Ramotar Rajak Resident of - Power House Road, Mansi, P.S. - Mansi, District- Khagaria.
16. Naresh Rajak, son of Late Sanju Rajak, resident of Village Chakhusaini,



P.S.-Mansi, District-Khagaria.

17. Vijay Pandit, son of Late Siya Ram Pandit, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
18. Suresh Pandit, son of Late Mahadeo Pandit, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
19. Awadhesh Pandit @ Awadhesh Kumar Pandit, son of Saryug Pandit, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
20. Ghanshyam Pandit, son of Late Namdhari Pandit, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
21. Ramvilash Pandit, son of Late Shibdani Pandit, resident of Village Chakhusaini, P.S.-Mansi, District-Khagaria.
22. The State of Bihar Bihar.
23. The Divisional Commissioner, Munger Division, Munger.
24. The Deputy Collector Land Reforms, Khagaria.
25. Circle Officer, Mansi, District-Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate
	:	Mr. Shivam, Advocate
For the State	:	Mr. Majid Mahbood Khan, AC to AAG12
For the O.P. No.19	:	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

11 08-08-2025 Heard learned senior counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party no.19.

2. The present Review Application has been filed for review of the judgment dated 12.12.2023 passed by this Court in C.W.J.C. No.451 of 2020.

3. Learned senior counsel for the petitioner has submitted that the writ petition was allowed in view of the judgment of this Court in the case of *Maheshwar Mandal &*



Anr. vs. The State of Bihar and Ors. reported in ***2019 (3) PLJR 1007.***

4. Learned senior counsel for the petitioner submits that the judgment in the case of ***Maheshwar Mandal*** (*supra*) has been challenged in the Hon'ble Supreme Court in Special Leave Petition (Civil) Diary No(s).4199 of 2019 in which vide order dated 30.09.2019 following order has been passed:-

Delay condoned.

Issue notice.

In the meantime, there shall be stay of the operation of the impugned judgment. However, status quo shall be maintained in respect of possession of Respondent Nos.1 and 2.

5. The Hon'ble Supreme Court in SLP (C) No. 24289 of 2019, by order dated 06.12.2021 has passed the following order:-

Leave granted.

Interim order dated 30.09.2019 to continue until disposal of appeal.

List this appeal according to its priority.

6. Pursuant to the stay granted by the Hon'ble Supreme Court, the State of Bihar has also come out with a Notification No.345(8) dated 15.09.2021.

7. In view of the above, I am of the view that



impugned judgment dated 12.12.2023 passed in C.W.J.C. No.451 of 2020 needs to be recalled and the review application is, therefore, allowed.

8. The office is directed to list C.W.J.C. No.451 of 2020 before the appropriate Bench for hearing as per the roster.

9. The Interlocutory Application, if any, is disposed of.

(Sandeep Kumar, J)

anand/-

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