IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.317 of 2024
In
Civil Writ Jurisdiction Case No.5297 of 2020

CNR No. BRHC011077922024

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Jaylal Singh @ Jaylal Prasad Singh Kushwaha S/o Late Ram Pratap Singh Resident of Village- Bari Bathna, P.S.- Manshahi, Hal Mokam Rajendragram 2 number colony near church at P.O. and PS- Katihar, District- Katihar.

... ... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue, Government of Bihar, Patna.
2. The Collector cum District Magistrate, Katihar.
3. The Additional Collector, Katihar, At P.O., P.S. and District- Katihar.
4. The D.C.L.R Katihar, At P.O., P.S. and District- Katihar.
5. The C.O. Manshahi, P.O and P.S- Manshahi, District- Katihar.
6. Narendra Prasad Singh @ Naresh Prasad Singh Son of Late Ram Pratap Singh Resident of Village Barua Tola Kamath, P.S.- Dandkhora, P.O.- Soriya, District- Katihar.
7. Biswanath Singh Son of Late Ram Pratap Singh Resident of Mohalla Rajendra gram, 2 number colony, Near Church, Katihar.
8. Surendra Singh Son of Late Ram Pratap Singh Resident of Mohalla Rajendra gram, 2 number colony, Near Church, Katihar.
9. Umesh Singh Son of Late Brahmdeo Singh Resident of Village Bari Bathna, P.S.- Mansahi, P.O.- Siriniyan, District- Katihar.
10. Ganesh Singh Son of Late Brahmdeo Singh Resident of Village Bari Bathna, P.S.- Mansahi, P.O.- Siriniyan, District- Katihar.

... ... Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Sashi Shekhar Dwivedi, Sr. Advocate Mr. Parth Gaurav, Advocate Mr. Divya Prakash, Advocate Mr. Ashutosh Kumar Pandey, Advocate Mr. Rahul Puri, Advocate
For the State	:	Mr. Ashok Kumar Chaudhary, AAG-11 Ms. Aishwarya Shankar, AC to AAG-11

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

8 20-11-2026 Heard Mr. Sashi Shekhar Dwivedi, learned Senior Counsel appearing for the petitioner, and Mr. Ashok Kumar Chaudhary, learned AAG-11 appearing for the Respondent-State.

2. The present review application has been filed

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seeking review of the order dated 23.09.2024 passed in CWJC No. 5297 of 2020, whereby the learned Senior Counsel appearing for the petitioner, after advancing some arguments, sought liberty to challenge the sale deed dated 14.08.2009, executed by respondent No. 8 in favour of respondent Nos. 9 and 10 in respect of the land in question, before the competent Civil Court for declaration of the petitioner's right, title and interest over the said land.

3. Learned Senior Counsel appearing for the review petitioner submits that, due to some confusion, the learned counsel for the petitioner withdrew the writ petition.

4. The principles governing the exercise of review jurisdiction are well-settled. A review is maintainable only on the following grounds:

> *i. Discovery of new and important matter or evidence which, despite the exercise of due diligence, was not within the knowledge of the petitioner or could not be produced by him at the time when the order was passed;*
>
> *ii. Mistake or error apparent on the face of the record; and*
>
> *iii. Any other sufficient reason, which must be analogous to the other two grounds stipulated in the clauses under Order XLVII Rule 1 of the Code of Civil Procedure.*

5. Having heard learned counsel for the parties and upon perusal of the materials available on record, it transpires

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that the Hon'ble Supreme Court has settled the principles governing the exercise of review jurisdiction. In the present case, the grounds raised by the petitioner do not fall within the ambit of the aforesaid principles. The review petitioner has failed to make out a case warranting the exercise of review jurisdiction. It is evident from the record that the petitioner had appeared in the writ proceedings and, after advancing arguments, learned counsel withdrew the writ petition with liberty to challenge the sale deed dated 14.08.2009 before the competent Civil Court or to seek a declaration of his right, title and interest over the land in question.

6. In view of the aforesaid facts and circumstances, no case is made out for reviewing the order dated 23.09.2024 passed in CWJC No. 5297 of 2020.

7. Accordingly, the present review application stands dismissed.

8. All pending interlocutory application(s), if any, shall also stand disposed of.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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