

IN THE COURT OF ADDITIONAL DISTRICT JUDGE
AIZAWL JUDICIAL DISTRICT, AIZAWL, MIZORAM.

Present : Shri Vanlalenmawia, MJS
Additional District Judge,
Aizawl Judicial District, Aizawl.

Civil Review Petition No. 15 of 2014
in L.A. Case No. 43 of 2013

1. Shrimati Chaldailovi of Phulmawi
2. Shri Zakunga of Tlungvel
3. Shri Lalhmingliana of Tlungvel ... Review Petitioners

-versus-

1. Oil India Limited
2. District Collector, Aizawl, Mizoram. . Opposite Parties.

APPEARANCE

For the petitioner	:	Shri K. Kawlkhuma, Advocate.
For the O.P. No. 1	:	Shri A.R. Malhotra, Advocate.
For the O.P. No. 2	:	None appears.

Hearing	:	17.12.2015
Order delivered on	:	13.1.2016

ORDER

1. The application has been filed under Order XLVII read with Rule 151 of CPC for review of the Order dated 16.4.2014 passed in L.A. Case No. 43 of 2013.
2. Written statement is filed by the OP No. 1.
3. I heard the learned Counsel Shri K. Kawlkhuma appearing for the review petitioner. I also heard the learned Counsel Shri A.R. Malhotra appearing for the OP No.1.

4. According to the learned Counsel Shri K. Kawlkhuma, the order dated 16.4.2014 in L.A. Case No. 43 of 2013 is sought to be reviewed inasmuch as their learned Counsel Shri Lalremtlunga had withdrawn the case without their knowledge. He submitted that in the reference application made under Section 18 of the L.A. Act in L.A. Case No. 43 of 2013, the review petitioners stated that they had not been given value of their lands covered by their Periodic Pattas. The learned Counsel also submitted that the learned Trying Judge had disposed the reference application on withdrawal on the prayer of learned counsel since another reference application was filed in L.A. Case No. 40 of 2013.

5. On the other hand, the learned Counsel Shri A.R. Malhotra appearing for the Oil India submitted that the review petition cannot be allowed as there is no mistake or error apparent on the face of the case record.

6. As rightly pointed out by the learned Counsel Shri K. Kawlkhuma, the review petitioners stated in their reference application that they had not been given land compensation.

7. I do not find any application for withdrawal submitted by the review petitioners in L.A. case No. 43 of 2013.

8. Upon hearing the rival parties and perusing the records requisitioned, I find that there is a sufficient ground for allowing the application for review of the order dated 16.4.2014 in L.A. Case No. 43 of 2013. Accordingly, the instant review petition is allowed in the circumstances indicated above.

9. However, the disposed L.A. Case No. 43 of 2013 will be decided on merit.

10. The review petition is disposed off.

Sd/- VANLALENMAWIA
Addl. District Judge,
Aizawl Judicial District,
Aizawl, Mizoram.

Memo No. _____/ADJ(A)/2016 : Dated Aizawl, the 13th January, 2016

Copy to: -

1. Chaldailovi & Ors. through Shri K. Kawlkhuma, Advocate.
2. Oil India Ltd. through Shri A.R. Malhotra, Advocate.
3. District Collector, Aizawl through Shri R. Lalremruata, Addl. GA.
4. District Judge, Aizawl Judicial District, Aizawl.
5. Registration Section, District Court, Aizawl.
6. Guard File.
7. Case Record.
8. Calendar Judgment.

P E S H K A A R