

IN THE HIGH COURT OF JUDICATURE AT PATNA
C.R. No.1546 of 2009
SHEIKH RAHMAN
versus
BIBI IDAN & ORS

3. 30.9.2010. It is submitted on behalf of the petitioner that in view of the law laid down by the Apex Court in **Shiv Shakti Coop. Housing Society, Nagpur Vs. Swaraj Developers and others**, reported in **(2003)6 Supreme Court Cases 659** and **Surya Dev Rai Vs. Ram Chander Rai and others**, reported in **(2003)6 Supreme Court Cases 675** as well as by a Division Bench of this Court in **Durga Devi Vs. Vijay Kumar Poddar**, reported in **2010(2) PLJR 954**, this Civil Revision would not be maintainable. Thus, learned counsel seeks permission to convert this Civil Revision into a Writ Petition under Article 227 of the Constitution of India.

Leave is granted.

Let the petitioner convert this Civil Revision into a Writ Petition under Article 227 of the Constitution of India within one week after Durga Puja Holidays, failing which this Civil Revision shall stand rejected as not maintainable without further reference to a Bench.

P.S.

(Dr. Ravi Ranjan, J)