

GAHC010193662024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Review.Pet./169/2024

JAGADISH BARMAN
S/O- LATE RUPCHARAN BARMAN, JOINT SECRETARY AND HEAD
CENTRAL EXCELLENCE, CBSE, PANJABARI, GUWAHATI-781037, R/O-
JANJOG PATH, KHANAPARA, GUWAHATI, PIN- 791022.

VERSUS

1.THE CENTRAL BOARD OF SECONDARY EDUCATION AND 4 ORS
THROUGH ITS CHAIRMAN, 2, COMMUNITY CENTRE, PREET VIHAR,
DELHI-110092.

2:SECRETARY
CENTRAL BOARD OF SECONDARY EDUCATION
2 COMMUNITY CENTRE
PREET VIHAR DELHI-110092.

3:HIMANSHU GUPTA
SECRETARY CENTRAL BOARD OF SECONDARY EDUCATION
2 COMMUNITY CENTRE PREET VIHAR DELHI-110092.

4:THE UNION OF INDIA
THROUGH SECRETARY
CENTRAL BOARD OF SECONDARY EDUCATION (MINISTRY OF HUMAN
RESOURCE AND DEVELOPMENT GOVT. OF INDIA)
2 COMMUNITY CENTRE
PREET VIHAR DELHI-110092.

5:ARVIND KUMAR MISHRA
UNDER SECRETARY
REGIONAL OFFICER (IN-CHARGE)
CBSE REGIONAL OFFICE PATNA AMBIKA COMPLEX
BAILEY ROAD RAJA BAZAR SHEIKHPURA
PATNA BIHAR-800014

For the Review Petitioner : Dr. G.J. Sharma, Advocate.
: Ms. K. Bhattacharya, Advocate.
For the Respondent(s) : Mr. M.A. Niyazi, Advocate.
: Mr. M.K. Das, Advocate.
: Ms. B. Chetry, Advocate.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE SUMAN SHYAM

23.09.2024

(Vijay Bishnoi, CJ)

The instant review petition is filed by the review petitioner seeking review of the judgment and order dated 09.09.2024 passed by this Court in WP(C) No.4124/2024.

Dr. G.J. Sharma, learned counsel appearing for the review petitioner has submitted that in Thiruvananthapuram, the place where the review petitioner was posted as the Head of Centre of Excellence (COE), no post of Joint Secretary exists and the other incumbent, who is working as the Assistant Secretary is given the charge of Head of COE, Thiruvananthapuram. It is contended that this fact has not been taken into consideration by this Court while deciding the above referred writ petition.

It is noticed that pursuant to the direction given by this Court in the impugned judgment and order dated 09.09.2024, Central Board of Secondary Education (CBSE) has granted an opportunity to the review petitioner to opt for posting as Joint Secretary/Head, COE, Ajmer vide letter dated 11.09.2024 and it is informed that the review petitioner has opted for posting as Joint Secretary/Head, COE, Ajmer.

Taking into consideration the above facts and circumstances of the case and also taking into consideration the fact that by way of this review petition the review petitioner has attempted to argue the matter on merits, which does not come under the scope of review, we do not find any force in this review petition. Hence, the instant review petition is dismissed.

JUDGE

CHIEF JUSTICE

Comparing Assistant