

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.395 of 2014

In

Civil Writ Jurisdiction Case No. 19846 of 2013

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1. Meena Kumari W/o Prem Ranjan Prasad R/o Patel Nagar, Nawada, P.O. + P.S. + District Nawada.
 2. Kiran Kumari Sinha W/o Sunil Kumar R/o Village Kamarihu, P.O. Musarhi, P.S. Karay Parsuray, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
4. The Bihar Staff Selection Commission, Veterinary College, Patna-14 through its Secretary.
5. The Secretary, Bihar Staff Selection Commission, Veterinary College, Patna-14.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Adv
For the Respondent/s : Md. Anish Akhtar AC to GA-1

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 04-11-2015 Heard learned counsel for the parties.

2. The prayer of the petitioners for reviewing the order dated 15.04.2015, is wholly misplaced on two grounds.

3. Firstly, the writ application was withdrawn by the petitioners and therefore, even after the opportunity sought by the petitioners of withdrawing the matter before

the Apex Court that will not mean that the petitioners have been given any right to file review application.

4. Secondly, the review application also will not be maintainable because, this Court has already considered the issue relating to filling up of 2413 posts out of 34540 teachers, which were subject matter of the advertisement in terms of Special Rule-2010. It has been held in the judgment dated 15.01.2014 passed in C.W.J.C No. 17899 of 2012 (Kanti Kumari vs the State of Bihar and Ors), that such 2413 posts, have to be filled only amongst the persons whose names were included in the panel, which was prepared under the order of the Apex Court.

5. Thus, there would be now no question of allowing someone, whose name was not included in the panel, to be now considered afresh. The petitioners' suffering, because of the delay/laches of the postal department cannot be made a ground to reopen the whole matter because in the case of the petitioners their name was not included in the panel prepared under the order of Apex Court. Their

applications were in fact received in the office of the Commission, beyond the prescribed period of time given in the advertisement.

6. Thus, for the reasons indicated in the judgment dated 15.01.2014 passed in C.W.J.C No. 17899 of 2012 (Kanti Kumari vs the State of Bihar and Ors), this Court would find now no reason to review the order in question.

7. That being so, this application is wholly misconceived and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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