

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.134 of 2014

In
LPA 519 of 2013

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Indradeo Paswan S/o Late Jagdeo Paswan, Resident of Mohalla/Village -
Mahmuda Saksohra, Post Office - Saksohra, Police Station - Saksohra,
District - Patna, presently posted as Deputy Director of Agriculture, Seed
Inspection, Department of Agriculture, Bihar Patna

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna
2. The Principal Secretary, Department of Agriculture, Bihar, Patna
3. The Principal Secretary, Department of General Administration, Bihar,
Patna
4. The Chairman, Bihar Public Service Commission, Bailey Road, Patna

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Banwari Sharma, Mr. Sahjanand Sharma, Advocates
For the State	:	Mr. Roy Shivaji Nath, AAG III Mr. Amarendra Kumar, AC to AAG III
For B.P.S.C.	:	Mr. Sanjay Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

3 12-01-2015 Heard learned counsel for the petitioner and learned
Additional Advocate General No. III for the State.

The present review application has been filed against the
order 26.03.2014 passed in LPA No.519 of 2013 arising out of
CWJC No.2831 of 2013 which was disposed of by order dated
12.02.2013.

Learned counsel for the petitioner has sought to assail
the order on the ground that the question of delay which was not

considered by the writ court has been considered by the Court in the appellate order and further that in I.A. No. 6515 of 2013, a prayer for amendment granted at the stage of LPA, with regard to the challenge to the order dated 12.02.2013 during the pendency of the appeal, has not been considered in the final order.

So far as the question of delay is concerned, the same is relevant only with regard to the hearing or not hearing a writ petition after it had been filed whereas we find that in the order dated 26.03.2014 sought to be reviewed, the question of delay has only been considered for the purpose of entitlement to relief sought by the petitioner and considering the fact that the matter related to seniority, the court was satisfied that no order should be passed when he approached this Court after a delay of at the very least two years so as to give occasion to steal a march over his seniors by virtue of judicial orders. Thus, the said ground does not appear to us to have any relevance.

So far as the question of non-consideration of the order dated 12.08.2013 is concerned, we find that the same really reiterates the earlier stand which was already under challenge in the writ petition and even if specific order interfering with the said order dated 12.08.2013 has not been passed, the same does not affect the order dated 26.03.2014 on its tenor and merits.

Several issues have been sought to be argued vehemently by learned counsel for the review petitioner on the merits of the matter, but considering the limited scope of the review jurisdiction, we are not inclined to consider the same. Thus, on a consideration of the entire matter, we are of the view that no case for review is made out in the present matter.

The review application is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

B.T/-

(Vikash Jain, J)

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