

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No. 116 of 2012

In
Civil Writ Jurisdiction Case No. 669 of 2007

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Abhay Chandra S/O Sri Ram Chandra Prasad Yadav R/O/ Moh- Choti Keshopur, Targachh Kali Asthan No. 2 Ke Pichche, P.O+P.S- Jamalpur, Distt- Munger.

.... Petitioner

Versus

1. The State of Bihar Through The Commissioner Cum Secretary Human Resources Development Deptt., Bihar, Patna.
2. The Director Secondary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Manger Division, Munger.
4. The Dist. Education Officer, Munger.
5. Ram Chandra Pd. Yadav Secretary, Managing Committee, Bhartiya Arya High School, Jamalpur in the Distt- of Munger.
6. The In Charge Headmaster, Bharti Arya High School, At P.O+P.S- Jamalpur, Distt- Munger.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Avanindra Kumar Jha
For the Opp. Party/s : Mr. Harish Kumar GP - 32

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 03-02-2016 Heard Sri Purushottam Kumar Jha, learned counsel, who was assisted by Sri Avanindra Kumar Jha, learned counsel for the petitioner and Sri Harish Kumar, learned Govt. Pleader – 32.

The present petition has been filed with a prayer to review of an order dated 09-08-2011 passed in C.W.J.C. No. 669 of 2007.

At the very outset, learned State counsel submits that after the order passed by the learned Single Judge, the petitioner had preferred an appeal, vide L.P.A. No. 407 of 2012, which was

dismissed as withdrawn.

It was submitted by learned counsel for the petitioner that the appeal was permitted to be withdrawn, since the review petition was already preferred before this Court.

Considering the fact that L.P.A. has already been permitted to be withdrawn as well as in view of facts and circumstances of the present case, the Court is not persuaded to pass any order for reviewing or recalling order dated 09-08-2011 passed in C.W.J.C. No. 669 of 2007. Primarily, the Court is of the opinion that it will amount to recall of its earlier order, which is not permissible in the eye of law.

The review petition stands dismissed.

(Rakesh Kumar, J.)

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