

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2182 of 2014

In

Miscellaneous Jurisdiction Case No. 588 of 2014

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Tribhuwan Manjhi, son of Late Dhupan Manjh, R/O village- Rampur Noor
Nagar, P.O. + P.S. Jalalpur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Old Secretariat, Patna.
2. The Commissioner-cum- Secretary to Government Public Health
Engineering Department, Bihar, Visheshwariya Bhawan, Bailey Road,
Patna.
3. The Engineer-in-Chief cum Special Secretary, P.H.E.D., Bihar,
Visheshwariya Bhawan, Bailey Road, Patna.
4. The Chief Engineer (Mechanical), P.H.E.D., Bihar, Patna.
5. The Superintending Engineer, PHED, Circle, Chapra
6. Mr. C.D. Ram, the then Superintending Engineer (Appointing
Authority) retired as Secretary Technology, P.H.E.D., Bihar, Patna.
7. Mahanth Yadav son of Shri Sudama Yadav, resident of village-
P.O.Kusaura, P.S. Bansdih Road, District-Balia (U.P.)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary
For the State : Mr. Manoj Kumar Sinha, A.C. to S.C.30
For Respondent No.6 : Mr. Vikas Mohan
For respondent No.7 : Mr. Lalan Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

6 10-03-2016

M.J.C. No.2182 of 2014

The application is for restoration of M.J.C. No.588 of 2014, which
was dismissed in default on 18th April, 2014.

2. For the reasons mentioned in the application, the same is allowed
and M.J.C. No.588 of 2014 is restored to its original file.

M.J.C. No.588/2014

This is an application for restoration of civil review filed by the
petitioner against the judgment rendered by a Division Bench of this Court on

15th July, 2011, whereby the writ petition filed by one Mahanth Yadav was allowed and he was directed to be regularized.

2. In view of the averments made in the application, the same is allowed and Civil Review No.144 of 2012 is restored to its original file.

Civil Review No.144 of 2012

1. The present civil review application is for review of the order dated 15.07.2011 passed by a Division Bench of this Court in L.P.A. No.802 of 2009, whereby the service of Mahanth Yadav was ordered to be regularized for the reason that the termination dated 5.12.2008 was found to be unsustainable in law.

2. The applicant is not an employee of the respondent. He is totally an stranger to the lis and thus has no locus standi to challenge the order of regularization passed in favour of Mahanth Yadav.

3. The review application is misconceived and the same is, accordingly, dismissed.

(Hemant Gupta, J)

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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