

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.108 of 2015

IN

Civil Writ Jurisdiction Case No. 17611 of 2011

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Pankaj Kumar, S/o- Umesh Kumar Singh, Resident of Village- Lembua, Bahera,
P.O.- Nowgarh, P.S.- Amas, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Human Resources Development Department, Patna.
2. The Director, Primary Education Department, Patna.
3. The District Magistrate, Gaya, District- Gaya.
4. The District Teacher Appointment Appellate Authority, Gaya, District- Gaya.
5. The District Superintendent of Education, Gaya.
6. The Block Development Officer, Amas, District- Gaya.
7. The Block Area Education Extension Officer, Amas, District- Gaya.
8. The Panchayat Secretary, Gram Panchayat, Karandih, P.S. - Amas, District- Gaya.
9. The Mukhiya, Gram Panchayat Karamdih, P.S. - Amas, District- Gaya.

.... Respondents....Opposite Party/s

10. Saghir Ahmad, S/o- Hafiz Abdul Moghni, Resident of village- Suggi, P.S.- Amas, District- Gaya.

.... Petitioner Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Onkar Kumar, Advocate

For the Respondent/s : Mr. Gyan Shankar, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 19-10-2016

Heard the parties.

The order on the writ petition was dictated in open Court and no objection was raised. The petitioner also does not point out any error apparent on the face of record requiring interference. The review petitioner also cannot aver miscarriage of justice because he challenged the order passed by the writ Court before the Division Bench in Letters Patent Appeal bearing LPA No.572 of 2014 but

chose to withdraw the same. Before this Court now the review petitioner practically seeks a rehearing questioning the eligibility of the private respondent/writ petitioner to hold the post of Panchayat Teacher. The appointment made in 2006 was sought to be challenged by the review petitioner before the appellate authority after 4 years in 2010 and though he succeeded but the exercise of jurisdiction by the appellate authority was negated by the writ Court on jurisdictional error and the intra court appeal was withdrawn.

No cause for indulgence is made out. The filing of review application in the circumstances discussed is an abuse of the process of the Court and is accordingly dismissed.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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