

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Civil Review No.447 of 2016
Arising out of
LPA 227 of 2016**

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Jagdish Jha, aged about 49 years, S/O Late Upendra Jha, resident of mohalla-Balbhadrapur, P.S.- Laheria Sarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department (Higher Education), Government of Bihar, Patna
2. The Secretary, Department of Education, Government of Bihar, Patna.
3. The Additional Secretary, Department of Education, Government of Bihar, Patna.
4. The Bihar Public Service Commission, Patna through its Secretary, 15 Jawaharlal Nehru Marg, Baily Road, Patna.
5. The Secretary, Bihar Public Service Commission, Patna, 15 Jawaharlal Nehru Marg, Baily Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Sinha, Advocate
For the State Respondent/s	:	Mr. Amarendra Kumar, AC to AAG 15
For B.P.S.C.		Mr. Lalit Kishore, Sr. Advocate
		Mr. Sanjay Pandey, Advocate
For Intervener	:	Mr. Kumar Brijnandan, Advocate

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT**

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 14-12-2016**

The present review petition is preferred for review of the order passed in Letters Patent Appeal No.227 of 2016 (arising out of C.W.J.C. No.15814 of 2015) by a Division Bench of this Court on 21st of September, 2016 whereby, the appellant was found eligible for appointment to the post of Assistant Professor in the subject of Maithili, but no direction was issued for his interview in



view of the fact that selection process has come to an end.

2. In Letters Patent Appeal No.616 of 2016 (arising out of C.W.J.C. No.16253 of 2015) a Division Bench of this Court has passed an order on 13th of May, 2016 that in the event Letters Patent Appeal succeeds relating to appointment to the post of Assistant Professor in the subject of Psychology, the Bihar Public Service Commission shall be bound to hold *viva voce*/interview for the successful appellants. It is pointed out that in fact the reference in the order is to Letters Patent Appeal No.227 of 2016, preferred by the appellant, therefore, the appellant is entitled to be called for *viva voce*/interview in terms of the order passed in LPA 616 of 2016.

3. We do not find any ground to entertain the present application for review.

4. The order dated 13th of May, 2016 passed in Letters Patent Appeal No.616 of 2016 is in respect of selection process for appointment on the post of Assistant Professor in the subject of Psychology. Though the order makes mention of Letters Patent Appeal No.227 of 2016, but it appears that such order, in fact, pertains to Letters Patent Appeal No.511 of 2016 (arising out of C.W.J.C. No.16253 of 2015) wherein, the appellant has sought appointment as Assistant Professor in the subject of Psychology.



5. This Court has passed a specific order under review that since selection process has come to an end, no further directions are required to be issued. It is a categorical finding after considering the facts of the case; therefore, it does not make out a case for review of the order passed by this Court on 21st of September, 2016.

6. Consequently, we do not find any merit in the present writ review application. The present review application is accordingly dismissed.

(Hemant Gupta, ACJ)

(Anjana Mishra, J)

K.C.jha/-

AFR/NAFR	NAFR
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