

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.57 of 2017

IN

Civil Writ Jurisdiction Case No. 4966 of 2016

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Amir Hasan Sakur Ahmed Mahavidyalaya Shikshak Karmchari Sangh, through its Secretary, Dinesh Kumar, S/o Late Sheonath Ram, R/o Village- Kolhrampur, P.S.- Barhara, Distt- Bhojpur, at present posted as Lecturer, Department of Psychology, Amir Hasan Sakur Ahmed College, Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Vice Chancellor of Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. Milli Trust at Stadium Road, P.S. Madhubani, District- Madhubani- 847212 through its Secretary Sarfaraz Reyazi, Son of Md. Reyaz Hussain.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 30-08-2017

Inter alia seeking review of an order dated 27.10.2016 passed by this Court in Civil Writ Jurisdiction Case No. 4966 of 2016, this application has been filed for review and it is indicated that on an S.L.P being filed by the petitioner before the



Supreme Court, Hon'ble Supreme Court had granted liberty to the petitioner to file this application and it is the case of the petitioner that he was not heard when the writ petition was heard and decided by the Division Bench of this Court.

From the records and petitioner's own saying goes to show that petitioner participated in the proceeding as an intervenor. He filed Interlocutory Application No. 3168 of 2016 for intervention. The said Interlocutory Application was allowed and petitioner was permitted to participate and intervene in the proceeding. The orders were passed on 13.05.2016, and thereafter the case was listed for hearing on 19.07.2016. It was posted for hearing on 21.07.2016. It was heard on 21.07.2016 and thereafter reserved for order and the order was passed after a period of more than three months on 27.10.2016. Except for filing the application for intervention, the petitioner did not appear or was not represented by the counsel when the case was heard and listed for hearing on various dates i.e. on 15.07.2016, 19.07.2016 and on 21.07.2016. The case was listed after it was notified by the office in the cause list and it has not come on record as to why the petitioner or his counsel were absent. That apart, after the matter was posted for order on 21.07.2017, the matter was kept pending for more than three months and even during this period, no application was filed for hearing by the petitioner.



Taking note of the facts and circumstances and the ground that the Writ Petition was heard without hearing the petitioner as intervener, we see no reason to recall or revise the application.

The application is, therefore, dismissed.

(Rajendra Menon, CJ)

(Anjana Mishra, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06/09/2017
Transmission Date	NA

