

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.357 of 2016

In
LPA 611 of 2013

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Mamta Kumari, W/o – Mintu Paswan, resident of village – Dihuri, P.O. –
Madhopur, P.S. – Tekari, District – Gaya.

.... Petitioner

Versus

1. The State of Bihar
2. The Director, ICDS, Department of Social Welfare, Government of Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The District Programme Officer, Gaya.
6. The Child Development Project Officer, Tekari, District – Gaya.

.... Respondents

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Appearance :

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

For the Respondent/s : Mr. Kameshwar Prasad Gupta, GP-10

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

4. 11-01-2017

We have heard learned counsel for the review petitioner and we find no merit in this application.

In the writ petition, which was allowed, the writ petitioner had challenged her removal. Consequently, in the year 2012, when the writ petition was allowed, she was reinstated. State, being aggrieved, filed the Letters Patent Appeal, which was dismissed.

The civil review petitioner states that in the interregnum she had been appointed in pursuance to an advertisement issued by the State. We do not know under what circumstances and how the review petitioner was



appointed.

Learned counsel for the review petitioner states that she should have been heard at least in the Letters Patent Appeal. We cannot appreciate the submission. The Letters Patent Appeal was dismissed affirming the order of the writ court of the year 2012. On her own showing, the review petitioner had sought appointment and was appointed in the year 2014. No effective order was passed by this Court after writ petition was allowed in the year 2012, nor before any right had accrued to the review petitioner. Thus, there is no error either of procedure or of fact or of law that requires correction.

Civil review petition, thus, merits no consideration. Accordingly, this civil review application is dismissed.

If the review petitioner is so aggrieved by any action of the State, she has an independent right in this regard.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

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