

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3713 of 2014

In
C. REV. 309 of 2011

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Brajkishore Sahani Son of Late Raghuwar Sahani Resident of Village -
Chapra Tola, Dumri, P.S. - Sugauli, District - East Champaran at Motihari

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, East Champaran, Motihari
3. The District Superintendent of Education, East Champaran, Motihari
4. The Block Development Officer of Sugauli Block, Distt. - East Champaran
5. The Block Education Extension Officer, Sugauli, Distt. - Motihari
6. The Panchayat Secretary of Gram Panchayat Mali, P.S. - Sugauli, District - East Champaran
7. The Mukhiya of Gram Panchayat, Mali, P.S. - Sugauli, District - East Champaran
8. Mr. Bhushan Sahani Son of Late Uzafar Sahani Resident of Village - Dumari, P.S. - Sugauli, District - East Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Respondent/s : Mr. Sanjay Pandey

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 23-08-2017

This restoration application has been filed for restoration of Civil Review No. 309 of 2011 which was dismissed due to non-compliance of the preemptory order passed on 05.09.2012.

However, learned counsel for the respondent No. 8 Bhushan Sahani in this proceeding and Civil Review No. 309 of 2011 points out that in Civil Review No. 309 of 2011 the petitioner wanted review of an order dated 14.07.2011 passed in C.W.J.C. No. 2354 of 2008 with regard to appointment of said



respondent Bhushan Sahani on the post of Shiksha Mitra in the year 2003. However, he brings to my notice orders passed subsequently in C.W.J.C. No. 9212 of 2010, wherein the present applicant Braj Kishor Sahani had challenged the subsequent action of granting appointment to respondent No. 8 Bhushan Sahani. This Writ Petition was allowed. Thereafter respondent No. 8 Bhushan Sahani challenged it in L.P.A. No. 1323 of 2014 which was dismissed by a Division Bench of this Court on 08.01.2015 and thereafter Civil Review No. 84 of 2015 was filed seeking review of the order passed in L.P.A. No. 1323 of 2014.

Taking note of these subsequent developments that have been taken place with regard to the issue in question at the instance of respondent No. 8 in filing C.W.J.C. No. 9212 of 2010 and the order passed in the said case which has been affirmed in L.P.A. No. 1323 of 2014, now no useful purpose would be served by allowing this application and restoring Civil Review No. 309 of 2011 to its original file. I see no reason to make any indulgence in the matter.

This application is, therefore, dismissed.

(Rajendra Menon, CJ)

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