

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.177 of 2016

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Smt. Manju Devi, wife of Surendra Prasad, resident of village- Ranni (Pancholi),
P.O.- Mahrar, P.S.- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The District Education Officer, Rohtas
5. The District Programme Officer, Dinara, Rohtas
6. The Block Education Officer, Dinara, Rohtas
7. The Executive Officer-cum-Secretary Block Teacher Appointment Committee,
Dinara, District- Rohtas
8. Gulab Chand Sah, son of Banwari, Resident of Village- Karanj, P.S.- Dinara,
District- Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

Date: 29-03-2017

The defects pointed out by the Registry are ignored.

2. Perused the application filed under Article 226 of the Constitution of India read with Order 47 Rule 1 of the Code of Civil Procedure for reviewing the order dated 02.12.2015 passed in L.P.A. No. 1094 of 2015 whereby the Letters Patent Appeal preferred against the order dated 27.04.2015 passed in C.W.J.C. No. 3613 of 2015 has been dismissed.

3. The petitioner seeks review of the aforesaid order dated 02.12.2015 on the ground that the Division Bench failed to appreciate



the grounds taken by the petitioner at the time of hearing of the appeal.

4. There is no averment in the application that while passing the order under review any material error apparent on the face of the record was committed by the Court. As a matter of fact, the present application is in the nature of an appeal in disguise of review.

5. We are of the opinion that in exercise of power of review the Court cannot substitute its view on the basis of re-hearing of the case. We are also of the opinion that in the application under consideration the petitioner has failed to establish that there was an error or mistake apparent on the face of the record or there was such other material available with the petitioner which, if not taken into consideration, would cause miscarriage of justice.

6. In that view of the matter, the present review application is dismissed.

(Ashwani Kumar Singh, J)

(Chakradhari Sharan Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	31.03.2017
Transmission Date	

