

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.213 of 2018

In
Civil Writ Jurisdiction Case No.18103 of 2011

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Sabita Singh @ Savita Singh W/o Sri Mritunjay Kumar Singh resident of
Raja Shiv Chandra Banarjee Lane, Adampur Ghat, P.S. Adampur, District –
Bhagalpur ... Petitioner

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Human Resources Development Department, Government of Bihar, Patna.
 2. The Special Secretary, Human Resources Development Department, Government of Bihar, Patna.
 3. The Director, Primary Education, Government of Bihar, Patna.
 4. The Deputy Director Primary Education, Government of Bihar, Patna.
 5. The District Magistrate, Bhagalpur.
 6. The District Superintendent of Education, Bhagalpur.
 7. The Secretary, C.M.S. Primary School, Adampur, Adampur Bhagalpur.
 8. The Headmaster, C.M.S. Primary School, Adampur, Bhagalpur
- ... Respondents
- =====

with

Miscellaneous Jurisdiction Case No. 2180 of 2018

In
Civil Writ Jurisdiction Case No.18103 of 2011

=====

Sabita Singh @ Savita Singh W/o Sri Mritunjay Kumar Singh resident of
Raja Shiv Chandra Banarjee Lane, Adampur Ghat, P.S. Adampur, District –
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 8. The District Superintendent of Education, Bhagalpur.
 9. The Secretary, C.M.S. Primary School, Adampur, Adampur Bhagalpur.
 10. The Headmaster, C.M.S. Primary School, Adampur, Bhagalpur
- ... Respondents
- =====

Appearance :

(in both the cases)

For the Petitioner/s	:	Mr. Jai Ram Singh, Adv.
For the Respondent/s	:	Mr. Prabhat Ranjan, AC to AAG XV

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-07-2018 Both the cases are heard together and are being

disposed of by this common order.



Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner has filed the Civil Review No. 213 of 2018 for review of the oral judgment, dated 25.06.2018, passed in C.W.J.C. No. 18103 of with some observations.

Learned counsel for the petitioner when confronted has not been able to submit the reason for not appearing the learned counsel for the petitioner when the case was called out on 25.06.2018 and on previous dates. However, he submitted that in the instant case the petitioner would suffer hardship as the petitioner has worked for 27 years but on account of the fact that petitioner was not trained, the service of the petitioner was not approved by the Director, Primary Education, Government of Bihar, Patna, vide impugned order, dated 21.02.2011, contained in Annexure 15 to the writ application. Learned counsel has not been able to point out any infirmity in the order, dated 21.02.2011. however, on the ground of equity he submits that the petitioner has worked for 27 years and as such the petitioner deserves consideration on equity.

The Court in the facts and circumstances of the case is not in a position to grant any positive relief as the Court does not find any infirmity in the order.



As indicated in the order, dated 25.06.2018, liberty shall be available to the petitioner to approach the appropriate forum which includes Managing Committee of the School where the petitioner is working for the last 27 years. Prima facie the petitioner has claim against the Managing Committee where he may approach for appropriate relief(s).

With the aforesaid clarification, the review petition as well as the MJC application stand disposed of.

(Anil Kumar Upadhyay, J)

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