

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.77 of 2018

In
Letters Patent Appeal No.1840 of 2016

Vishwanath Prasad @ Sri Vishwanath Prasad son of Sri Ramdeo Prasad @
Luchan Ram, C/o Sri Ramprit Prasad, R/o Mohalla- Jakkanpur, Hajamtoli,
Laxmi Market, P.O.- Jakkanpur Bateshwar Gali, P.s.- Gardanibagh, District-
Patna, permanent R/o Rtv. Manakudha, P.s.- Khri More, Post- Paliganj
Mankurha, District-Patna Petitioner

Versus

1. The State Of Bihar
 2. The Inspector General of Police, Special branch, Bihar, Patna
 3. The Deputy Inspector General of Police, Special Branch, Bihar, Patna
 4. The Superintendent of Police, Special Branch, Bihar, Patna
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Madhubala Verma, Advocate
For the Respondent/s	:	Mr. P. K. Verma (Aag 3)
		Mr. Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 06-10-2018 Having heard learned counsel for the respective parties, the delay in preferring the review application is hereby condoned.

I.A. No. 3846 of 2018 stands allowed.

The main review application has been heard today itself.

The present review application has been preferred by the applicant herein-original appellant –original writ petitioner to review and/or recall the order passed by the Division Bench dated 14.12.2017 passed in L.P.A. No. 1840 of 2016 on the



ground that in the order the Division Bench has erroneously considered the punishment of compulsory retirement as dismissal from service and has rejected the appeal on merits.

However, having heard learned counsel for the respective parties and considering the order passed by the learned Single Judge impugned before the Division Bench and even considering the order passed by the Division Bench in L. P. A. No. 1840 of 2016, which is sought to be reviewed, it appears that the applicant was compulsorily retired by way of punishment after holding departmental enquiry. Therefore, merely on the ground that because of oversight the compulsory retirement is noted as dismissal, the order passed by the Division Bench which is otherwise on merits, is not required to be reviewed and recalled. No case is made out to review the order and the present application stands dismissed.

(Mukesh R. Shah, CJ)

(Rajeev Ranjan Prasad, J)

avin/-

U			
---	--	--	--

