

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.291 of 2018

In
Civil Writ Jurisdiction Case No.4486 of 2018

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1. The State of Bihar through the Chief The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary Human Resources Department, Govt. of Bihar, Patna.
 3. The Principal Secretary Personnel and Administrative Department, Govt. of Bihar, Patna.
 4. The Director Mass Education Govt. of Bihar, Patna.
 5. The District Education Officer, Aurangabad, District-Aurangabad.

... .. Petitioner/s

Versus

1. Umesh Chandra Pathak Son of late Ram Lakhan Pathak Resident of Village-Ghota, P.O.-Karma Pande, P.S.-Goh, District-Aurangabad, Bihar.
2. Gupteshwar Baitha Son of late Janki Baitha Resident of Village-Kharkana, P.O.-Khardiha, P.S.-Aurangabad (Muffshil), District-Aurangabad, Bihar.
3. Bijay Kumar Sharma son of Shree Raja Pandey Resident of Village-Karmadih, P.O.-Sighana, P.S.-Amba, District-Aurangabad, Bihar.
4. Ramjit nRam Son of Shree Late Bigan Ram Resident of Village-Manu Khap, P.O.-Tandawa, P.S.-Tandawa, District-Aurangabad, Bihar.
5. Gupeshwar Singh Son of shree Somar Singh Resident of Village-Pratappur, P.O.-Jaitiya, P.S.-Bandey, District-Aurangabad, Bihar.
6. Bashist Prasad Singh Son of late Chandradip Narayan Singh Resident of Village-Jai Hind Tendua, P.O.-Jai Hind Tendua, P.S.-Mali, District-Aurangabad, Bihar.
7. Mala Kumari wife of Surendra Prasad Resident of Mohalla-New Area Nabinagar, Ward No. 07, P.O.-Nabinagar, P.S.-Nabinager, District-Aurangabad, Bihar.
8. Bishnu Prasad Son of Shree Chandradhan Singh Resident of Village-Panti, P.O.-Belain, P.S.-Nabinagar, District-Aurangabad, Bihar.
9. Nagesh Ram Son of Shree Ram Dhani Ram Resident of Village-Chainpur, P.O.-Silar Kala (Deo), P.S.-Deo, District-Aurangabad, Bihar.
10. Prema Devi Wife of late Narsingh Prasad Resident of Village-Gira, P.O.-Obra, P.S.-Obra, District-Aurangabad, Bihar.
11. Upendra Dubey Son of Late Bhuneshwar Dubey Resident of Village-Tetariya, P.O.-Naur, P.S.-Nabinagar, District-Aurangabad, Bihar.
12. Kamta Prasad Son of Tapeswar Saw Resident of Village-Nabinagar, P.O.-Nabinagar, P.S.-Nabinagar, District-Aurangabad, Bihar.
13. Krishna Prasad Son of Raghubar Mahto Resident of Village-Bairiya, P.O.-Bairiya, P.S.-Mali, District-Aurangabad, Bihar.
14. Madheshwar Yadav son of Biran Yadav Resident of Village-Mahuain, P.O.-Manika, P.S.-Madanpur, District-Aurangabad, Bihar.
15. Krishna Kumar Yadav Son of Ghuri Yadav Resident of Village-Mahuain, P.O.-Manika, P.S.-Madanpur, District-Aurangabad, Bihar.
16. Ramlakhan Yadav Son of late Rajdeo Yadav Resident of Village-Karpati, P.O.-Manika, P.S.-Madanpur, District-Aurangabad, Bihar.



17. Anita Kumari Wife of Mithilesh Kumar Resident of Village-Pathrour, P.O.- Jaitpur, P.S.-Haspura, District-Aurangabad, Bihar.
18. Ranjana Kumari wife of Jai Kumar Pathak Resident of Village-Matpa, P.O.- Matpa, P.S.-Kutumba, District-Aurangabad, Bihar.
19. Gopal Prasad Singh Son of Jagdev Prasad Singh Resident of Village-Bhaluwari Kala, P.O.-Baliya, P.S.-Amba, District-Aurangabad, Bihar.
20. Shanti Kumari Wife of Ram Naresh Mahto Resident of Village-Kajakpur, P.O.-Mehiyan, P.S.-Tandawa, District-Aurangabad, Bihar.
21. Kusum Kumari D/o Dharm Deo Prasad Resident of Village-Akodha, P.O.- Pilchi, P.S.-Daudnagar, District-Aurangabad, Bihar.
22. Shyam Narayan Mehta Son of Laldeo Mehta Resident of Village-Krma Bishrampur, P.O.-Mirjapur, P.S.-Mali, District-Aurangabad, Bihar.
23. Hari Nandan Ram Son of late Budhan Ram Resident of Village-Nabinagar Road (Digghi), P.O.-Nabinagar Road, P.S.-Nabinagar, District-Aurangabad, Bihar.
24. Kameswar Prasad Son of Ram Prasad Ram Resident of Village-Sonoura, P.O.-Sonoura, P.S.-Mali, District-Aurangabad, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar (Ac To Ga 12)
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 31-10-2018 Since the order under review was passed with consent of the parties, no interference is required in the present case, however, it has been pointed out that the Judgment passed by the learned Division Bench in LPA No. 1047 of 2017, on the basis whereof the original writ petition was disposed of, has been modified by a Judgment of the learned Division Bench dated 27.06.2018 passed in Civil Review No. 59 of 2018 by which it has been directed that the matter be listed after passing of the order by the Hon'ble Apex Court in SLP (C) No. of 2017 (Diary No. 25804 of 2017).

In view of the aforesaid submission of the learned counsel



appearing for the petitioners-The State of Bihar, the order dated 15.03.2018 passed in CWJC No. 4249 of 2018 is modified to the extent that the same would abide by the final decision to be rendered by the Hon'ble Apex Court in SLP(C) No. ... of 2017 (Diary No. 25804 of 2017).

In view of the fact that the judgment passed by the learned Division Bench in L.P.A. No. 1047 of 2017, which was the basis for disposing of the original writ petition, has been modified by the learned Division Bench by a judgment dated 27.06.2018 passed in Civil Review No. 59 of 2018, the consequences have to follow, hence, there is no need of issuing notice to the private respondent and the matter is now required to be governed by the judgment to be rendered by the Hon'ble Apex Court in SLP (C) No. of 2017 (Diary No. 25804 of 2017) as well as by the final outcome of Civil Review No. 59 of 2018, which is pending adjudication before a learned Division Bench of this Court.

The present review petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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