

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.336 of 2018

In
Civil Writ Jurisdiction Case No.15861 of 2017

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1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Human Resources Development Department, Govt. of Bihar, Patna.
 3. The Director, Mass Education, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna.
 4. The District Education Officer, Muzaffarpur.
 5. The District Mass Education Officer, Muzaffarpur.
 6. The District Programme Officer (Literacy), Muzaffarpur.
 7. The District Education Officer, Sitamarhi.
 8. The District Mass Education Officer, Sitamarhi.
 9. The District Programme Officer (Literacy), Sitamarhi.
 10. The District Education Officer, Nawada.
 11. The District Mass Education Officer, Nawada.
 12. The District Programme Officer (Literacy), Nawada.

... .. Petitioner/s

Versus

1. Shambhu Kumar Mishra, Son of Yogendra Nath Mishra, Resident of Village + Post- Lalu Chapra, P.S. + Block- Paru, District- Muzaffarpur.
2. Dilip Kumar, Son of Rabindra Sharma, Resident of Village + P.O.- Kamalpura, P.S. + Block- Paru, District- Muzaffarpur.
3. Chandeshwar Prasad Verma, Son of Late Vishnudeo Lal, Resident of Village- Harpur, P.O. Srikant, P.S. Piyar, Block- Bandara, District- Muzaffarpur.
4. Jagdish Prasad, Son of Narayan Bhagat, Resident of Village- Manikpur Mustafaganj, P.S. + Block- Minapur, District- Muzaffarpur.
5. Rajesh Kumar, Son of Bhola Singh, Resident of Village + P.O.- Kamalpura, P.S. + Block- Paru, District- Muzaffarpur.
6. Prabhu Paswan, Son of Sahdeo Paswan, Resident of Village- Bargaon, P.O. Srikant, Block- Bandara, District- Muzaffarpur.
7. Rambabu Sahani, Son of Girja Sahni, Resident of Village- Manikpur, P.O. Mustafaganj, Block + P.S. Minapur, District- Muzaffarpur.
8. Kiran Kumari, Wife of Brajbhushan Prasad Mishra, Resident of Azad Colony, Road No. 4, Maripur, P.S.- Kazi Mahmaddpur, District- Muzaffarpur.
9. Shiv Shankar Sharma, Son of Ramswarath Sharma, Resident of Village + Post- Marwan, Via- Silout, P.S. Sakara, District- Muzaffarpur.
10. Ajay Tiwary, Son of Umsh Tiwari, resident of Village- Bathnaha, P.O. Bakatpur, P.S.- Kathaiya, District- Muzaffarpur.
11. Shivchand Mishra, Son of Sakaldeo Mishra, Resident of Village- Sotihara, P.O. Chapra Megh, P.S. + Block- Mushahari, District- Muzaffarpur.
12. Puspa Kumari, Son of Raj Kishore Thakur. Resident of Village- Kurtha Harpur Ramji, P.O. Kushiharpur, P.S. Kanti, District- Muzaffarpur.
13. Mira Kumari, Wife of Arvind Kumar Sharma, Resident of Village- Pahi Ashthari, P.S. Kathaiya, Block + P.S. Motipur, District- Muzaffarpur.



14. Harichandra Mishra, Son of Sakaldeo Mishra, Resident of Village- Sutihara, P.O. Chapra Megh, P.S. + Block- Mushahari, District- Muzaffarpur.
15. Vijay Kumar, Son of Late Nand Kishore Sharma, Resident of Village- Keshri Nagar, P.O. Barkagaon, P.S. + Block- Marwan, District- Muzaffarpur.
16. Asha Kumari, Wife of Sanjay Kumar Rahi, Resident of Village + P.O. Belwar, P.S. + Block- Belsar, District- Vaishali.
17. Rajesh Kumar, Son of Ramchandra Mahto, Resident of Village- Simra, P.O. Srikant, Via + P.S.- Piya, Block- Bandara, District- Muzaffarpur.
18. Harihar Mahto, Son of Vonu Mahto, Resident of Village- Barhagaon, P.O. Srikant, Via + P.S.- Piya, Block- Bandara, District- Muzaffarpur.
19. Shiv Kumar Mahto, Son of Yadunandan Mahto, Resident of Village- Bargaon, P.O. Srikant, Via + P.S. Piya, Block- Bandara, District- Muzaffarpur.
20. Md. Monziruddin, Son of Md. Israil, Resident of Village + P.O. + Block- Bandara, District- Muzaffarpur.
21. Sindhu Kumari, Wife of Nand Kishore Bhagat, Resident of Village- Madhurapur, P.O. Bakhara, Block + P.S. Saraiya, District- Muzaffarpur.
22. Sunita Kumari, Wife of Harishankar Ram, Resident of Village- Mansurpur Goutha, P.O. Lalu Chapra, Block + P.S. Paru, District- Muzaffarpur.
23. Sarita Kumari, Wife of Lalbabu Sah, Resident of Village + P.O. Lalu Chapra, P.S. + Block- Paru, District - Muzaffarpur.
24. Krishna Kumar, Son of Ramtahal Bhagat, Resident of Village- Dhanrajpur, P.O. Bakhara, Block + P.S. Saraiya, District- Muzaffarpur.
25. Baidhnath Bhagat, Son of Ramtahal Bhagat, Resident of Village- Dhanrajpur, P.O. Bakhara, Block + P.S. Saraiya, District- Muzaffarpur.
26. Shankar Sah, Son of Sukhari Sah, Resident of Village- Barahi Hariram, Post-Dumari Khurd, P.S. + Block- Mejargan, District- Sitamarhi.
27. Kameshwar Sah, Son of Late Mintan Sah, Resident of Village + Post-Dumari Khurd, P.S. + Block- Mejarganj, District- Sitamarhi.
28. Ramlocha Mahto, Son of Sukhlal @ Sukha Mahto, Resident of Village- Laldasi, P.O. Basbiha, P.S. + Block- Mejharganj, District- Sitamarhi.
29. Ram Ekwal Ram, Son of Gagan Deo Ram, Resident of Village- Bhalohiya, P.O. Basbiga, P.S. + Block- Mejarganj, District- Sitamarhi.
30. Jitendra Singh, Son of Kedar Singh, Resident of Village- Baidhnathpur, P.O. Malahi, P.S. Mejarganj, District- Sitamarhi.
31. Harendra Kumar Mishra, Son of Yoagendra Mishra, Resident of village- P.O.- Lalu Chapra, P.S. + Block- Paru, District- Muzaffarpur.
32. Sunil Kumar Sah, Son of Rameshwar Sah, Resident of Village- Dukhan Saraiya, P.O.- Raghunathpur, P.S. + Block- Paru, District- Muzaffarpur.
33. Archana Kumar, Wife of Suryadeo Ojha Resident of Mohalla- Awadh Bihari Lane, Brahampura, P.S.- Barhampura, District- Muzaffarpur.
34. Meena Kumari, Wife of Bhushan Singh, Resident of Village- Mai, P.O.- Manjaur, P.S. Warsaliganj, District- Nawada.
35. Usha Kumari, Wife of Shashi Bhushan Prasad @ Kapildeo Prasad, Resident of Village- Manjaur Tola Beldari, P.O. Manjaur, P.S. Warsaliganj, District- Nawada.
36. Malti Devi, Wife of Bindeshwari Ojha, Resident of Village- Budhaul, P.O. + P.S. + District- Nawada.
37. Chhote Lal Paswan, Son of Ram Nandan Paswan, Resident of Village- Panchrukhi, P.O.- Mohamadpur, P.S.- Motipur, District- Muzaffarpur.
38. Virendra Kumar, Son of Bhuneshwar Singh, Resident of Village- Jagdishpur Keyhahi, P.O. Mohamadpur, P.S.- Motipur, District- Muzaffarpur.



39. Sunil Kumar, Son of Jagdish Prasad, Resident of Village- Bajidpur Baniyarpur, P.O. Motipur, P.S. Motipur, District- Muzaffarpur.
40. Lal Babu Bhagat, Son of Ram Chandra Bhagat, Resident of Village- Bajidpur Baniyarpur, P.O. Motipur, P.S. Motipur, District- Muzaffarpur.
41. Surendra Sahni, Son of Mahgu Sahani, Resident of Village- Parsauniya, P.O. Anjanakot Madhopur, P.S. Motipur, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 12-12-2018 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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