

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.596 of 2017

In

Civil Review No.73 of 2016

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Md. Akhtar Ali, S/o- Safi Ansari @ Liakat Ali, R/Village- Bangra (East), P.O. Dumarsan Bangra, P.S. Masarakh, District- Saran.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Government of Bihar, New Secretariat, Bailey Road, Patna.
2. The Director, Primary Education, Department of Human Resources, Government of Bihar, New Secretariat, Bailey Road, Patna.
3. The Deputy Director, Primary Education, Department of Human Resources, Government of Bihar, New Secretariat Bailey Road, Patna.
4. The District Magistrate at Chhpara, District- Saran.
5. The District Programme Officer at Chhpara, District Saran.
6. The Block Education Officer and Block Development Officer at Marhawrah, District- Saran.
7. The Mukhiya Gram Panchayat Raj, Bangra, P.O. Dumarsan Bangra, District- Saran.
8. The Secretary, Gram Panchayat Raj Bangra, P.O. Dumarsan Bangra, District- Saran.
9. The District Teacher Appointment Authority at Chhpara Saran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Nalin Kumar, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey- AAG15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 26-03-2018 This appeal has been filed seeking exception to an order dated 01.03.2017 passed by the Writ Court in Civil Review No.73 of 2016. The order passed in the review application on 01.03.2016 reads as under:-

“Heard counsel for the petitioner.

There has to be some error apparent on the face of record which would be required to be



reviewed. In the garb of review, writ application cannot be argued *de novo*.

No case for review is made out. Review application is dismissed.”

As the learned Writ Court has only held that there is no error on the face of record and dismissed the review application, this Letters Patent Appeal against an order dismissing the review application is not maintainable.

The appeal is dismissed with liberty to the appellant to prosecute the LPA No.180 of 2018 which is said to have been filed by the appellant against the original order passed in the writ petition.

(Rajendra Menon, CJ)

(S. Kumar, J)

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