

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.297 of 2018

In
Civil Writ Jurisdiction Case No.17738 of 2017

1. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Education Department Government of Bihar, Patna.
3. The Director Mass Education, Government of Bihar, Patna.
3. The District Magistrate, Gaya.
4. The District Education Officer, Gaya.

... .. Petitioner/s

Versus

1. Sunil Kumar Pathak, son of Late Awadhesh Pathak, resident of village- P.O. Lav, P.S.- Tekari, District- Gaya.
2. Bachchi Devi, wife of Nand Kishore Sharma, resident of village + P.O.- Bhoari, Block- Tekari, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhanjali (AC to GA- 12)
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 28-11-2018 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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