

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Review No.505 of 2017**

**IN**  
**Civil Writ Jurisdiction Case No. 16250 of 2012**

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The Mukhiya-cum-Chairman, Panchayat Niyojan Samittee, Gram Panchayat Talimpur, Block Madhuban, District - East Champaran.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Block Development Officer, Block Madhuban, East Champaran.
5. The Panchayat Secretary, Gram Panchayat Talimpur, Block Madhuban, East Champaran.
6. The Headmaster, Government Primary School, Talimpur, Madhuban, East Champaran.

.... .... Respondent/Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Sanjay Kumar Tiwari, Advocate.

For the Respondents : Mr. Ashutosh Ranjan Pandey, AAG-15

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 21-02-2018**

The present review petition has been filed against the order dated 19.12.2016 by which the writ petition was held to be not maintainable for two reasons namely that the original petitioner having died had not been substituted and secondly that the Mukhiya had no *locus standi* to challenge the order of the District Teachers Employment Appellate Authority.

2. Learned counsel for the petitioner submits inasmuch as the writ petition had been filed by the Mukhiya in his official capacity, no substitution was required and the successor in office must be treated to have stepped into shoes of the original petitioner and the



cause of action continued to survive.

3. As regards the second ground with regard to the Mukhiya having no *locus standi* to challenge the impugned order in view of the earlier judgment of the Division Bench of this Court in *Sangeeta Kumari Yadav Vs. The State of Bihar & Ors., 2015 (3) PLJR 503*, nothing has been stated to indicate the nature of any error in the order under review in this regard. The petitioner has not even whispered that the said decision in *Sangeeta Kumari Yadav's case (supra)* is either distinguishable or has erroneously been relied on.

4. In the above view of the matter, therefore, this Court is not satisfied that any ground has been made out for review of the order dated 19.12.2016 passed in C.W.J.C. No. 16250 of 2012. Civil Review No. 505 of 2017 is accordingly dismissed.

**(Vikash Jain, J)**

Md. Ibrarul/-

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