

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Review No.227 of 2018**

**In**  
**Civil Writ Jurisdiction Case No.18793 of 2017**

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1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
  2. The Principal Secretary, Education, Department of Bihar, Patna
  3. The Director, Department of Primary Education Govt. of Bihar, Patna
  4. The Director, Mass Education-cum Joint Secretary, Education Department Government of Bihar, Patna

... .. Petitioner/s

Versus

1. Md. Murtuza Alam, son of Hajee Md. Mahmood Alam, Resident of Village-Babhangama, Police Station Triveniganj, District-Supaul
2. Sanjay Kumar, Son of Gauri Kant Kumar Resident of Village-Govindpur, Police Station Pratapganj, District-Supaul.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar  
For the Respondent/s : Mr.

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**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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