

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.275 of 2018

IN

Civil Writ Jurisdiction Case No. 1018 of 2014

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Vishwa Vijay Singh

.... Petitioner

Versus

The State of Bihar & Ors

.... Respondents

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Appearance :

For the Petitioner : Mr. Ashish Giri, Advocate

For the Respondents : Mr. Dr. Anand Kumar, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 05-09-2018

Heard learned counsel for the petitioner and learned counsel for the State.

It is submitted by learned counsel for the petitioner that the Court while disposing of the writ petition has granted liberty to the petitioner to avail the remedy under Rule 24(2) of the Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 (herein after referred to as 'the Bihar CCA Rules, 2005'). He submits that due to some communication error the fact that the petitioner's application under Rule 24(2) of the Bihar CCA Rules, 2005 had also been decided prior to passing of the said order dated 6.7.2018, could not be placed on record in the writ proceedings.

Since order was in the knowledge of the parties the



same cannot constitute a ground for review.

Counsel for the petitioner seeks permission that he may be allowed to challenge order dated 21.3.2017 passed on the petitioner's application under Rule 24(2) of the Bihar CCA Rules, 2005, in appropriate proceedings. Since order dated 21.3.2017, passed on the review under Rule 24(2) of the Bihar CCA Rules, 2005 was not on record in the earlier writ proceedings arising out of C.W.J.C. No. 1018 of 2014, the petitioner is at liberty to challenge the said order in the appropriate proceedings. It is open to the petitioner to raise all the issues while challenging order dated 21.3.2017, no further order need be passed in the instant proceedings.

The review application is dismissed with the aforesaid liberty.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.9.2018
Transmission Date	NA

