

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.335 of 2018

In

Civil Writ Jurisdiction Case No.1553 of 2018

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1. The State of Bihar through the Chief Secretary, Old Secretariat, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
 3. The Principal Secretary, Department of Personnel and Administrative Reforms, Bihar, Patna.
 4. The District Magistrate, Bhagalpur.
 5. The District Education Officer, Bhagalpur.

... .. Petitioner/s

Versus

1. Santosh Kumar Son of Nilu Rai, Resident of Village- Ishakchak, P.S.- Ishakchak, District- Bhagalpur.
2. Rajesh Kumar, Son of Muni Lal Ranti, Resident of Village- Ishakchak, P.S.- Ishakchak, District- Bhagalpur.
3. Jay Prakash Pathak, Son of Shiv Dayal Pathak, Resident of Village- Nalaiya Colony Raspora, P.S.- Rajiv Nagar, District- Patna.
4. Md. Ajimuddin, Son of Md. Fajal Rahman, Resident of Village- Ishakchak, P.S.- Ishakchak, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar (AC to GA 12)
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 12-12-2018 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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