

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.249 of 2018

In

Civil Writ Jurisdiction Case No.3767 of 2018

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1. The State of Bihar through the Chief Secretary, Old Secretariat, Govt. of Bihar, Patna.
 2. The Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
 3. The Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna.
 4. The Director, Primary Education Department of Human Resources Development, Govt. of Bihar, Patna.
 5. The Director, Mass Education Department of Human Resources Development, Govt. of Bihar, Patna.
 6. The District Magistrate, Saran.
 7. The District Education officer, Saran.

... .. Petitioner/s

Versus

1. Vijay Kumar Singh, Son of Late Shiv Sagar Singh, Resident of Village and P.O. Ashok Nagar, P.S. Jalalpur, District- Saran.
2. Madhuri Devi, Daughter of Late Mathura Prasad, Wife Of Late Suresh Srivastava, resident of Village Hariharpur, P.O. Kumar Hariharpur, P.S. Khaira, District Chapra (Saran).
3. Dilip Kumar Singh, Son of Late Bharat Singh, Resident of Village and P.O. Kothaiya, P.S. Jalalpur, District- Saran.
4. Indra Mohani Yadav, wife of Sri Dwarika Prasad Yadav, Resident of Village and P.O. Sakddi, P.S. Jalalpur, District- Saran.
5. Lakshman Ram, Son of Late Banarshi Ram, Resident of Village and P.O. Kothaiya, P.S.- Jalalpur, District- Saran.
6. Arun Kumar Singh, Son of Late Prem Nath Singh, resident of Village and P.O. Kothaiya, P.S. Jalalpur, District- Saran.
7. Kamlesh Devi @ Kamlesh Kumari, Wife of Shri Shiv Shankar Bharti, Resident of Village and P.O. Sakddi Bharti Tola, P.S. Jalalpur, District- Saran.
8. Om Prakash Ram, Son of Late Chait Ram, Resident of Village and P.O. Kothaiya, P.S. Jalalpur, District- Saran.
9. Ramesh Kumar Singh, Son of Late Bharat Singh, Resident of Village Mishrauliya, P.O.- Sakaddi, P.S.- Jalalpur, District- Saran.
10. Dhanesh Kumar Singh @ Dhanesh Singh, Son of Sri Krit Singh, resident of Village and P.O. Ashok Nagar, P.S. Jalalpur, District- Saran.
11. Rakesh Kumar Singh, Son of Sri Raghubar Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
12. Rajeshwar Giri, Son of Late Swami Nath Giri, Resident of Village Dumari, P.O. Kaar Hariharpur, P.S. Khaira, District Chapra (Saran).
13. Mithilesh Kumar Singh, Son of Late Hari Kishore Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
14. Dilip Kumar Singh, Son of Late Hari Kishore Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
15. Binay Kumar Ojha, Son of Sri Bindhyachal Ojha, Resident of Ward No. 13, Bhagwan Bazar, P.O. and P.S. Bhagwan Bazar, District- Saran (Chapra).



16. Rajiv Kumar, Son of Sri Nand Kishore Singh, Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District Chapra (Siwan).
17. Gyan Mala Devi, Wife of Sri Sumit Kumar Singh, Resident of Village and P.O.- Kothaiya, P.S. Jalalpur, District- Saran.
18. Punit Kumar Singh Son of late Chandeshwar Prasad Singh resident of Village and P.O. Kothaiya, P.S. Jalalpur, District- Saran.
19. Manshi Ram Son of Sri Jhunkhun Ram Resident of Village and P.O.- Kothaiya, P.S. Jalalpur, District- Saran.
20. Ashok Kumar Singh Son of late Kamakhya Narayan Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
21. Meera Devi Wife of Sri Rabindra Nath Singh Resident of Village Noor Nagarkahi, P.O. Kahi, P.S. Jalalpur, District- Saran.
22. Mukul Pandey Son of late Dinesh Kumar Pandey Resident of Village and P.O.Kana Hariharpur, P.S. Khaira, District- Saran.
23. Ramawati Kumari Wife of Sri Raj Kishore Singh Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
24. Sita Kumari D/o Ram Sevak Yadav Resident of Village and P.O. Dhamsar, P.S. Janta Bazar, District- Saran.
25. Kanti Devi Wife of Sri Chhathi Lal Singh resident of Village Dumari, P.O. Kanar Hariharpur, P.S.- Khaira, District- Chapra (Saran).
26. Sunita Kumari, D/o Sri Nagendra Singh, Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
27. Rekha Kumari, D/o Late Prabhunath Singh resident of village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
28. Dhananjay Kumar Singh, Son of Sri Kamla Prasad Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
29. Manju Kumari, D/o Late Hari Mohan Singh, Resident of village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
30. Shayamli Kumari, D/o Hari Mohan Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
31. Sangita Kumari, Wife of Sri Manoj Kumar Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Chapra (Saran).
32. Manorma Kumari, D/o Raghubansh Singh, Wife of Sanjay Kumar Singh, Resident of Village and P.O. Bhatgai, District- Saran.
33. Raj Kishore Singh, Son of Late Hari Mohan Singh, resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District Chapra (Saran).
34. Nayalan Kumari, Wife of Sri Prem Nath Singh, resident of Village and P.O. Kothaiya, District- Saran.
35. Kamlesh Singh, Wife of Sri Dhanesh Singh, resident of Village and P.O. Ashok Nagar, P.S. Jalalpur, District- Saran.
36. Sanjeet Kumar Son of late Arun Kumar Singh resident of Village Affalur, Block Nagra, P.S. Khaira, District- Saran.
37. Uma Shankar Prasad Son of late Hari Narayan Prasad resident of Village and P.O. Khaira, District- Saran.
38. Jay Prakash Singh Son of late Bharat Singh resident of village and P.O Kothaiya, P.S. Jalalpur, District- Saran.
39. Ranjay Kumar Singh Son of late Hari Kishore Singh resident of Village- Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District Chapra (Saran).
40. Santosh Kumar Parbat Son of Sri Shivnath Parbat resident of Village- Shahimpur, P.O. Kothaiya, P.S. Khaia, Block Nagra, District- Saran.
41. Ajeet Kumar Singh Son of late Bharat Singh resident of Village and P.O.- Kothaiya, P.S. Khaia, Block Nagra, District- Saran.



42. Ganesh Kumar Singh Son of Kedar Nath Singh resident of Village and P.O. Basdila, P.S. Jalalpur, District- Saran.
43. Krishna Pandit Son of Mithu Pandit Resident of Village Salempur, P.O. Sutihar, P.S. Derani, Block Dariyapur, District- Saran.
44. Vinod Kumar Singh Son Chandeshwar Singh resident of Village Hariharpur Kothi, P.O. Pirari Dih, P.S. Derani, District- Saran.
45. Sushil Kumar Singh Son of Jagdish Narayan Singh resident of Village Dumari, P.O. Kanar, Hariharpur, P.S. Khaira, District- Saran.
46. Umesh Kumar Singh Son of Kedar Nath Singh Resident of Village and P.O. Basdila, P.S. Jalalpur, District- Saran.
47. Meena Devi Wife of Jitendra Kumar Singh resident of Village Dumari, P.O.- Kanar Hariharpur, P.S. Khaira, District- Saran.
48. Vibha Kumari Wife of Sri Manoj Kumar Singh resident of Village and P.O. Kothaiya, P.S. Jalalpur, District- Saran.
49. Nirmala Kumari Wife of late Shatrudhan Kumar resident of Village Koerigawa, P.O. Sakaddi, P.S. Jalalpur, District- Saran.
50. Sanjay Kumar Gupta Son of Ganga Prasad Gupta Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
51. Sumitra Devi Wife of Raghubar Singh Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
52. Indrabati Devi Wife of Janakdeo Singh resident of Village Barnpua, P.O. and P.S. Khairah, District- Saran.
53. Ramjee Prasad Son of Sheopujan Bhakta resident of Village and P.O. and P.S. Khaira, District- Saran.
54. Sheo Nath Singh Son of Jalim Singh resident of Village Gobindpur, P.O. and P.S. Khaira, District- Saran.
55. Awadh Kishore Singh Son of Kailash Singh Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
56. Lalita Kumari@ Lalita Devi Wife of Bhairow Prasad Singh Resident of Village and P.O. Aphour, P.S. Khira, District- Saran.
57. Punam Devi, Wife of Mithilesh Kumar Singh, Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
58. Sanjeet Kumar Son of Arun Kumar Singh resident of village + P.O. + P.S. Aphour, District- Saran.
59. Sharda Devi Wife of Sri Lalmohan Singh Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
60. Fulwanti Singh, Wife of Lalbabu Singh, Resident of Village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
61. Rakesh Kumar Srivastava, Son of Mathura Prasad Srivasstava, resident of Village and P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
62. Ghanshyam Singh, son of Bikramaditya Singh, resident of village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District Saran.
63. Kameshwar Mishra, Son of Devnandan Mishra, Resident of village Dumari, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.
64. Meena Kumari, Wife of Dharamnath Singh, resident of Village Gopalpur, P.O. Kanar Hariharpur, P.S. Khaira, District- Saran.

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Respondent/s : Shilpa Singh, GA-12



Abhanjali, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-10-2018 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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