

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL REVIEW No.209 of 2018

In

Letters Patent Appeal No.860 of 2014

Sudhir Kumar, S/o Shri Ram Chandra Gope @ Ram Chandra Yadav, earlier residing at Ram Krishna Welfare Hospital, Yogipur More, South Chitragupt Nagar, Near Buddha Dental College, Kankarbagh, P.S. Patrakar Nagar, District Patna, presently residing at 104, Lalit Residency, Parmanand Path, Near Boring Road, Nageshwar Colony, Phulwari, P.S. - Kotwali, District Patna
... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
3. The Bihar Public Service Commission through its Secretary, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna 800001
4. The Secretary, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna-800001
5. The Joint Secretary-cum-Controller of Examinations, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna 800001
6. The Section Officer, Direct Recruitment Branch, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna 800001

... Opposite Parties

Appearance :

For the Petitioner	:	Mr. Mritunjay Kumar, Adv.
For the State	:	Mr. S.D. Yadav, AAG IX with Mrs. Shama Sinha, AC to AAG IX
For the BPSC	:	Me. D.K. Sinha, Sr. Adv. with Mr. Anil Kumar Singh No. 1, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 15-05-2019

Re. I.A. No. 4992 of 2018

Cause shown is sufficient.

The delay is condoned.

The application is treated to be within time.

The interlocutory application stands disposed of.

Re. Civil Review No. 209 of 2018

Heard learned counsel for the applicant.

The contention raised by Sri D.K. Sinha that keeping in



view the law as expounded by a Division Bench of this Court in the case of **Dr. Ranbir Prasad Singh Vrs. State of Bihar & Ors.** reported in **2000(3) P.L.J.R., 618**, the conclusion given by the Division Bench that the applicants did not have a teaching experience is erroneous and this being an error in the judgment the same deserves to be corrected. For this he had urged that the nature of duties and responsibilities performed by the petitioner as a Teacher at the IGIMS met the requirement of three years teaching experience. The finding of this Court by the Division Bench, therefore, has not taken support from the judgment of the case of **Dr. Ranbir Prasad Singh Vrs. State of Bihar & Ors.** and, therefore, this error deserves to be corrected.

We have considered the submissions raised. We find that the arguments advanced in the review application amounts to almost re-hearing of the entire matter inasmuch as the said decision has been taken notice in the judgment delivered on 8th March, 2018. After having found no error on the face of record to review the judgment, this application is, accordingly, dismissed.

(Amreshwar Pratap Sahi, CJ)

(Nilu Agrawal, J)

Shamshad/-

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