

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.14 of 2019

In
Civil Writ Jurisdiction Case No.12632 of 2013

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Smt. Nita Devi Shiv Shankar Upadhaya, Resident Of Village P.O. Baikunthpur, P.S. Sikraul, District - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar through The Secretary Cum Commissioner, Human Resources Development Govt. of Bihar, Patna.
2. The District Magistrate, Buxar.
3. The District Education Officer, Buxar.
4. The Block Development Officer, Etarhi, Buxar.
5. The Block Education Extension Officer, Etarhi Block, Buxar.
6. The Member, District Teachers Appellate Authority, Buxar.
7. The Mukhiya, Gram Panchayat Raj, Barkagaon, Etarhi Block, Buxar.
8. The Panchayat Secretary, Gram Panchayat Barkagaon, Etarhi Block, Buxar.
9. The Member Panchayat Samittee, Gram Panchayat Raj, Barkagaon, Etarhi Block, Buxar.
10. The Member Education Samittee, Gram Panchayat Raj Barkagaon, Etarhi Block, Buxar.
11. Anita Kumari Lalan Upadhya, R/o Village Baikunthpur, P.S. Sikraul, District- Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr.Ashutosh Ranjan Pandey (Aag 15)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-07-2019 The review-petitioner, who was respondent No. 11 in the writ petition has filed the present review application for review of the order dated 29.10.2018 passed in CWJC No. 12632 of 2013 on the ground that the writ petitioner was heard at the time of passing order in the appeal by the Appellate Authority and as such the order of remand passed by this Court



is bad.

On the materials available on the record the Court is of the view that it has not decided the matter either in favour of the review petitioner-respondent No. 11 in the writ petition or in favour of the writ petitioner. Only liberty was granted to the District Teachers Employment Appellate Authority to take appropriate decision after hearing the parties. This Court has noticed manifold infirmities in the order dated 17.4.2013 but considering the fact that passing any comment on the order dated 17.4.2013 may cause prejudice, the Court refrained from passing any order on the merit of the order dated 17.4.2013.

Since this Court has remitted the matter back to the District Teachers Employment Appellate Authority, it would be appropriate that the review-petitioner may approach the Appellate Authority and contest the appeal on merit before it.

With the aforesaid, the review petition stands disposed of.

(Anil Kumar Upadhyay, J)

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