

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.274 of 2018

Bindeshwari Prasad Yadav Son of Sri Arbind Prasad Yadav @ Arjun Prasad Yadav, Resident of Village-Kendua P.O.-Bajinathpur P.S.-Hisua, District-Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretry, Government of Bihar, Patna
2. The D.G.-cum-I.G. of Police, Bihar, Patna.
3. The D.I.G. of Police (Administration), Bihar, Patna.
4. The D.I.G. of Police, Magadh Range, Gaya
5. The S.P., Nawada-Cum-Chairman, Constable Selection Committee, Nawada, Gaya.
6. The S.P. Gaya-Cum-Membar C.S.C., Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr. Suman Kumar AC to AAG-3

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 16-01-2019

Re.-I. A. No. 7188 of 2018

Heard Mr. Sanjay Kumar, learned counsel for the applicant and Mr. Suman Kumar, learned counsel for the State of Bihar.

The limitation petition is allowed as sufficient cause has been shown in support of the said application. The review application shall be treated to be within time.

Re.- Civil Review No. 274 of 2018

This review application has been filed praying for review of the judgment dated 18.09.2017 passed in L.P.A. No.



2128 of 2015. The said judgment holds that the applicant/appellant was not entitled to a relief prayed for as the advertisement was of the year 1998 and the issue cannot be re-examined after 19 years.

From a perusal of the judgment of the learned Single Judge dated 11.09.2015 passed in C.W.J.C. No. 13798 of 2008 which was under appeal refers that the applicant/petitioner had come up praying that since the vacancies has occurred a direction should be issued to consider the claim of the applicant/appellant for engagement as a constable against the said advertisement.

From the records we find that the applicant/appellant had approached the higher authorities and filed a representation with regard to his claim for reconsideration and the said claim came to be rejected by the order on the representation dated 18th July, 2007. This order of rejection of the representation of the applicant/appellant does not appear to have been challenged nor any prayer was made to quash the same.

In the background of aforesaid, neither the learned Single Judge committed any error in refusing to exercise the discretion nor there is an error apparent on the face of the records to review the judgment dated 18.09.2017 passed in



L.P.A. No. 2128 of 2015.

The review application is accordingly, rejected.

(Amreshwar Pratap Sahi, CJ)

(Rajeev Ranjan Prasad, J)

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