

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.353 of 2018

In
Civil Writ Jurisdiction Case No.12262 of 2017

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1. The State Of Bihar
 2. The Chief Secretary, Old Secretariat, Government of Bihar, Patna.
 3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
 4. The Director, Mass Education, Government of Bihar, Patna.
 5. The District Education Officer, Bhagalpur.
 6. The District Education Officer, Patna.
 7. The District Education Officer, Jehanabad.

... .. Petitioner/s

Versus

1. Ambho Yadav Son of Late Chunchun Yadav, resident of Village- Balipur, Police Station- Sanokhar, District- Bhagalpur.
2. Hareram Rai, son of Bihari Rai, Resident of village- Janidih, Police Station- Kahalgaon, District- Bhagalpur.
3. Bebi Bharti, Wife of Ambho Yadav, resident of Village- Balipur, Police Station- Sanokhar, District- Bhagalpur.
4. Sanjay Kumar, Son of Ramawatar Yadav, Resident of Village- Agaiya Tola Mahuachak, Police Station- Sanokhar, District- Bhagalpur.
5. Ajay Kumar, Son of Ramawatar Yadav, Resident of Village- Agaiya Tola Mahuachak, Police Station- Sanokhar, District- Bhagalpur.
6. Sanjay Kumar Mandal, Son of Rup Narayan Mandal, resident of Village- Taufil Diya, Police Station- Atichak, District- Bhagalpur.
7. Pushpa Kumar @ Pushpa Devi, Son of Sanjay Kumar Mandal, Resident of Village- Taufil Diya, Police Station- Atichak, District- Bhagalpur.
8. Shaiwalini Prabhanjan, Wife of Chhote Lal Singh, resident of Village- Ratanpur, Police Station- Amdanda, District - Bhagalpur.
9. Indu Kumari, Wife of Vijay Singh @ Vijay Kumar Singh, resident of Village- Sanokhar, Police Station- Sanokhar, District- Bhagalpur.
10. Kishor Bharti, Son of Naresh Prasad Singh, resident of Village- Ratanpur, Police Station- Amdanda, District- Bhagalpur.
11. Jichhu Maraiya, Son of Brahman Maraiya, resident of Village- Tilakpur, Police Station- Sanokhar, District- Bhagalpur.
12. Naresh Kumar Ram, Son of Kailash Prasad Ram, resident of Village- Bastikiya, Police Station- Sanhaula, District- Bhagalpur.
13. Md. Badiujjama, Son of Late Najiruddin, Resident of Village- Sakrama, Police Station- Sanhaula, District- Bhagalpur.
14. Jay Prakash Singh, Son of Late Vishwanath Singh, resident of Village- Sakrama, Police Station- Sanhaula, District- Bhagalpur.
15. Nirmala Kumari, Wife of Sheshnath Mandal, Resident of Village- Fajilpur, Police Station- Sanhaula, District- Bhagalpur.
16. Sheshnath Mandal, Son of Late Churaman Mandal, Resident of Village- Fajilpur, Police Station- Sanhaula, District- Bhagalpur.
17. Sarita Kumari, Daughter of Late Churaman Mandal, Resident of Village- Fajilpur, Police Station- Sanhaula, District- Bhagalpur.
18. Madan Kumar Madan, son of Late Khusru Prasad Singh, Resident of Village- Sakrama, Police Station- Sanhaula, District- Bhagalpur.



19. Ambika Singh 'Amar', Son of Late Puran Singh, Resident of Village- Fajilpur, Police Station- Sanhaura, District- Bhagalpur.
20. Manoj Kumar, Son of Rajendra Prasad Rai, Resident of Village- Chunari Kuan, Police Station- Phulwarisarif, District- Patna.
21. Dharmshila Kumari, Daughter of Rajdev Rai, Resident of Village- Sultanpur, Police Station- Dhanarua, District- Patna.
22. Lalkeshwar Prasad, Son of Rambaran Yadav, resident of Village- Saraia, Police Station- Bakhtiyarpur, District- Patna.
23. Talat Bano, Wife of Rahul Mateen Ahmad, resident of Sadar Gali, Opposite Jaiswal Medical Hall, Police Station- Patna City, District- Patna.
24. Zaki Ahmad, Son of Late S.M. Sami Ahmad, resident of Moh.- Efrat Manzil, Lodi Katra, Nityanand Ka Kuah, Police Station- Patna City, District- Patna.
25. Bijay Kumar, Son of Yadu Pandit, resident of Village- Daniyawan, Police Station- Daniyawan, District- Patna.
26. Rajeev Kumar, Son of Late Keshwar Mahto, resident of Village- Danara, Police Station- Daniyawan, District- Patna.
27. Nirmala Kumari, Wife of Arun Kumar, resident of Village- Udaypura, Police Station- Paras Bigha, District- Jehanabad.
28. Bijay Kumar, Son of Abadh Bihari Singh, resident of Village- Jhunathi, Police Station- Paras Bigha, District- Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Abhanjali, AC to GA 12
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 23-01-2019 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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