

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.355 of 2018

In
Civil Writ Jurisdiction Case No.13457 of 2017

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1. The State Of Bihar s
 2. The Chief Secretary, Old Secretariat, Patna.
 3. The Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna.
 4. The Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
 5. The Director, Mass Education, Govt. of Bihar, Patna.
 6. The District Mass Education Officer, Purnea.
 7. The District Education Officer, Purnea.

... .. Petitioner/s

Versus

1. Sushil Kumar Mandal Son of Sri Baleshwar Mandal, resident of Village- Durgapur, Post Office- Durgapur, Block- Bhawanipur, District- Purnea.
2. Bedanand Paswan, Son of Rameshwar Paswan, At P.O.- Godhia Balua, Block- Shrinagar, District- Purnea.
3. Binod Kumar Mandal, Son of Anil Kumar Mandal, Resident of Village- Tinranga, P.O.- Goriyar, Block- Rupauli, District- Purnea.
4. Raj Kishore Paswan, Son of Abhimanyu Paswan, At P.O.- Ajhokopa, Block- Rupauli, District- Purnea.
5. Nirmal Kumar Thakur, son of Kasturi Thakur, resident of Village- Biruali, P.O. Ajho- Kopa, Block- Rupauli, District- Purnea.
6. Santosh Kumar Bharti, Son of Jagdish Chandra Mandal, At P.O.- Ajhokopa, Block- Rupauli, District- Purnea.
7. Shreelata Kumari, Wife of Prad-ip Kumar Mandal, Resident of Village- Bairia, P.O.- Mehendi Block, Rupauli, District- Purnea.
8. Amin Mandal, Son of Ishwar Mandal, Resident of Village- Tinranga, P.O.- Goriyar, Block- Rupauli, District- Purnea.
9. Dilip Kumar Mishra, Son of Sri Ganesh Mishra, At P.O.- Basantpur, Blcok- Rupauli, District- Purnea.
10. Ashok Ram, Son of Shyamdeo Ram, At P.O.- Kukraon- 02, Block- Dhamdaha, District- Purnea.
11. Garib Sah, Son of Sri Narain Sah, resident of Village- Bhelwa, P.O.- Kemai, Block- Bhawanipur, District- Purnea.
12. Md. Iliyas @ Eliyas, Son of Shaukat Ali, resident of Bhelwa, P.O. Kemai, Block- Bhawanipur, District- Purnea.
13. Dilip Kumar Mandal, Son of Sri Premlal Mandal, resident of Village- Amia, P.O.- Dumra, Block- Bhawanipur, District- Purnea.
14. Arbind Kumar Mandal, Son of Maheshwar Mandal, Resident of village- Amia, P.O. Dumra, Block- Bhawanipur, District- Purnea.
15. Bhikhari Prasad Yadav, Son of Sri Jai Lal Yadav, Resident of village- Amia, P.O. Dumra, Block- Bhawanipur, District- Purnea.
16. Santosh Kumar Paswan, Son of Sri Mangal Paswan, At P.O.- Barhara, Block- B. Kothi, District- Purnea.
17. Jay Prakash Narayan Vidyarthi, Son of Sri Kalanand Mandal, At P.O.- Ajho- Kopa, Block- Rupauli, District- Purnea.



18. Nutan Devi @ Nutan Kumari, D/o Balvadra Prasad, wife of Aman Kumar Vidyarthi, at P.O.- Ajho- Kopa, Block- Rupauli, District- Purnea.
19. Aman Kumar Vidyarthi, Son of Parmanand Mandal, At P.O.- Ajho- Kopa, Block- Rupauli, District- Purnea.
20. Sushila Devi, D/o Sri Chandradeo Mandal, At P.O.- Ajho- Kopa, Block- Rupauli, District- Purnea.
21. Om Prakash Prasad, Son of Sri Vishwanath Prasad, Resident of Village- Birauli, P.O.- Ajhokopa, Block- Rupauli, District- Purnea.
22. Kumari Kaushalya @ Kaushalya Devi, Wife of Krishnadeo Mandal, resident of Village- Tinranga, P.O.- Godhihar, Block- Rupauli, District- Purnea.
23. Nilu Kumari, D/o Vishwanath Pd. Pandit, At P.O.- Gaddighat, Block- Basantpur, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar 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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