

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.439 of 2018

In
Civil Writ Jurisdiction Case No.1414 of 2017

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1. The State Of Bihar through the Commissioner-cum-Secretary, Human Resources Development Department, Government of Bihar, Patna.
 2. The Commissioner-cum-Secretary, Human Resources Development Department, Government of Bihar, Patna.
 3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
 4. The Director, Mass Education, Government of Bihar, Patna.
 5. District Education Officer, Siwan.

... .. Petitioner/s

Versus

1. Raj Kapoor Chaudhary Son of Late Chandeshwar Chaudhary Resident of Village - Habib Nagar, P.O. - Habib Nagar, P.S. - Hussainganj, District - Siwan.
2. Smt. Manju Kumari @ Manju Devi Daughter of Sheonath Chaudhary and Wife of Suraj Chaudhary Resident of Village - Habib Nagar, P.O. - Habib Nagar, P.S. - Hussainganj, District - Siwan. At present resident of village - Balli, P.O. - Hussainganj, District - Siwan.
3. Izahar Ahmad Son of Late Abul Wahid Resident of Village - Dhankhar, P.O. - Marakan, P.S. - Hussainganj, District - Siwan.
4. Manan Prasad Son of Nand Jit Chaudhary Resident of Village - Hathauri Tola Ram Nagar, P.O. - Chhapiya Buzurg, P.S. - Hussainganj, District - Siwan.
5. Kamalesh Baitha Son of Sat Nam Baitha Resident of Village - Hathaura, P.O. - Hathaura, P.S. - Hussainganj, District - Siwan.
6. Sushila Kumari @ Sushila Devi Daughter of Shri Baleshwar Ram Resident of Village - Suruhari Dih, P.O. - Telakathu, Police Station - Hussainganj (Earlier Hasanpura), District - Siwan.
7. Kumari Archana Pathak @ Archana @ Kumari Archana Daughter of Mangal Pathak, Wife of Anil Kumar Mishra Resident of Village - Machakana, P.O. - Machakana, P.S. - Hussainganj, District - Siwan, At present resident of Village - Dayalpur, P.S. - Janta Bazar, District - Chapra.
8. Akhtar Hussain S/o Mainuddin Ansari Resident of Village - Bhopatpur, P.O. - Jogapur Kothi, Anchal - Baraharia, P.S. - Baraharia, District - Siwan.
9. Sanjay Kumar Sah Son of Shri Ram Sah Resident of Village - Hathauri, P.O. - Chhapiya, P.S. - Hussainganj, District - Siwan.
10. Bindu Devi Daughter of Lallan Yadav, Wife of Dalan Yadav Resident of Village - Hathawara, P.O. - Hathawara, P.S. - Hussainganj, District - Siwan.
11. Tarkeshwar Prasad Son of Gatilal Prasad Resident of Village - Dhankhar, P.O. - Marakan, P.S. - Hussainganj, District - Siwan.



12. Kumari Chanchala Daughter of Late Mangal Pathak, Wife of Bijendra Pandey Resident of Village - Machakana, P.O. - Machakana, P.S. - Husainganj, District - Siwan, At present resident of Village - Hasanpura Tola Hata, P.S. - Muffasil, Siwan, District - Siwan.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 27-03-2019 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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