

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.345 of 2018

In
Civil Writ Jurisdiction Case No.12763 of 2017

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1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Human Resources Development Department, Govt. of Bihar, Patna.
 3. The Director, Mass Education, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna.
 4. The District Education Officer, Nawada.
 5. The District Mass Education Officer, Nawada.
 6. The District Programme Officer (Literacy), Nawada.
 7. The District Education Officer, Sheikhpura.
 8. The District Mass Education, Officer, Sheikhpura.
 9. The District Programme Officer (Literacy), Sheikhpura.
 10. The District Education Officer, Gaya.
 11. The District Mass Education Officer, Gaya.
 12. The District- Programme Officer (Literacy), Gaya.

... .. Petitioner/s

Versus

1. Bijay Chaudhary, son of Darika Chaudhary, Resident of Village- Sultanpur, P.O.- Makanpur, P.S.- Warsaliganj, District- Nawada.
2. Mithilesh Pandey, Son of Late Shivdani Pandey, Resident of Village- Manjaur, P.S. Warsaliganj, District- Nawada.
3. Maheshwari Pandey, son of Late Kailash Pandey, Resident of Village- Chanpura, P.S. Warsaliganj, District- Nawada.
4. Suresh Chaudhary, Son of Late Puna Mahtha, Resident of Village- Manjaur, P.S.- Warsaliganj, District- Nawada.
5. Naresh Chaudhary, son of Sri Yamuna Pasi, Resident of Village- Manjaur, P.S.- Warsaliganj, District- Nawada.
6. Suresh Prasad Yadav, Son of Late Kaleshwar Yadav, Resident of Village- Milki, P.S.- Warsaliganj, District- Nawada.
7. Suresh Prasad, son of Late Kishun Yadav, Resident of Village- Lila Bigha, P.O. Makanpur, P.S. Warsaliganj, District- Nawada.
8. Md. Aiyub Ansari, Son of Ismail Ansari, Resident of Village- Mosama, P.S.- Warsaliganj, District- Nawada.
9. Chandra Shekhar Prasad Singh, Son of Ramanand Singh, Resident of Village- Koram, P.O.- Mosama, P.S.- Warsaliganj, District- Nawada.
10. Manoj Prasad Singh, Son of Kishun Singh, Resident of Village- May, P.O.- Manjaur, P.S.- Warsaliganj, District- Nawada.
11. Uma Shankar Prasad, son of Late Lakhan Kumar Singh, resident of Village- Balwapar Manjaur, P.O.- Manjaur, P.S.- Warsaliganj, District- Nawada.
12. Suman Kumari, Wife of Mithilesh Kumar Singh, Resident of Village- Naudiha Kala, P.O. + P.S.- Wajirganj, District- Gaya.
13. Manju Kumari, Wife of Chandra Bhushan Prasad Singh, Resident of Village- Naudiha, Kala, P.O. + P.S.- Wajirganj, District- Gaya.
14. Koshaliya Devi, Wife of Kedar Prasad, resident of Village- Hasua Kurmi Tola, P.O. + P.S. Hasua, District- Nawada.
15. Bhola Prasad Singh, Son of Late Mosaphir Singh, Resident of Village- Chandipur, P.O. Makanpur, P.S.- Warsaliganj, District- Nawada.



16. Prema Kumari, Wife of Raj Kumar Singh, Resident of Village + P.O. Makanpur, P.S.- Warsaliganj, District- Nawada.
17. Navita Sinha, Wife of Yadunandan Prasad, Resident of Village- Milki, P.S.- Warsaliganj, District- Nawada.
18. Anita Kumari, Wife of Baliram Prasad, Resident of Village- Madhopur Charki, P.O.- Bishunpur, P.S.- Gobindpur, District- Nawada.
19. Azad Chandra Shekhar, Son of Devki Singh, Resident of Village- Kabala, P.O. Budhauli, P.S. Pakri, Warawa, District- Nawada.
20. Pravin Kumar, Son of Late Rajendra Singh, Resident of Village- Dhewadha, P.S. Pakari Warawa, District- Nawada.
21. Lalan Prasad Yadav, son of Late Arjun Prasad Yadav, Resident of Village- Hasanganj, P.O. + P.S.- Pakari Warawa, District- Nawada.
22. Dinesh Prasad, Son of Late Banshi Saw, Resident of Bari Talaw, Pakari Warawa, P.O. + P.S. Pakari Warawa, District- Nawada.
23. Usha Kumari, Daughter of Ramdash Singh, Resident of Village- Dhewadha, P.S.- Pakri Warawa, District- Nawada.
24. Jato Shankar Pandit, Son of Late Kameshwar Pandit, Resident of Village- Gosaimathi, P.O. Aaudhe, P.S.- Shaikhpura, District- Sheikhpura.
25. Saneha Lata, Wife of Jato Shankar Pandit, Resident of Village Gosai Mathi, P.O.- Aaudhe, P.S. Sheikhpura, District- Sheikhpura.
26. Shyam Sundar Prasad, son of Late Hari Prasad, Resident of Village Horila, P.O. Wansh Gopal, P.O. Rajouli, District- Nawada.
27. Ramashish Prasad Raman, Son of Late Jagdish Prasad, Resident of Village- Sinduara, P.O. Budhauli, P.S.- Pakari Warawa, District- Nawada.
28. Sudha Sharma, Wife of Anil Kumar, Resident of Village- Salaya, P.O. Manjhila, P.S. Kaua Kol, District- Nawada.
29. Bipin Kumar Singh, son of Late Alakhdeo Singh, Resident of Village- Pali, P.O. Gola Badraji, P.S. Kauwakol, District- Nawada.
30. Karnbir Kumar, Son of Sri Kisun Prasad Yadav, Resident of Village- Jasat, P.O.- Dharhara, P.S. Pakri Warawa, District- Nawada.
31. Urmila Kumari, D/o Sri Kishun Prasad Yadav, Resident of Village- Jasat, P.O.- Dharhara, P.S. Pakri Warawa, District- Nawada.
32. Manorma Sinha, D/o- Sri Devsharan Prasad, Resident of Village + P.O. Mahrama, P.S.- Roh, District- Nawada.
33. Kanti Singh, D/o Karu Singh, resident of Village- Nawadih Kala, P.O. + P.S. Wajirganj, District- Gaya.
34. Rajendra Prasad, Son of Late Lakhnan Mahto, Resident of Village- Bilashpur, P.O.- Chamotha, P.S.- Rajauli, District- Nawada.
35. Sarita Devi, Wife of Brijnandan Prasad, Resident of Village- Kaballa, P.O.- Budhauli, P.S.- Pakri Warawa, District- Nawada.
36. Brijnandan Prasad, Son of Pyare Singh, Resident of Village- Kaballa, P.O.- Budhauli, P.S.- Pakri Warawa, District- Nawada.
37. Rambalak Prasad, Son of Jagdish Yadav, Resident of Village + P.O.- Budhauli, P.S.- Pakri Warawa, District- Nawada.
38. Nilam Kumari, Wife of Sri Binod Prasad, Resident of Village- Rajora, P.O. Babhanbigha, P.S.- Barbiga, District- Sheikhpura.
39. Shailendra Kumar, Son of Devnath Prasad, Resident of Village- Rajora, P.O. Babhanbigha, P.S.- Barbiga, District- Sheikhpura.
40. Gita Devi, Wife of Sunil Kumar Singh, Resident of Village + P.S. Gonawan, P.S. Nawada, District- Nawada.
41. Nandlal Sharma, Son of Bhikhari Sharma, Resident of Village- Tullapur, P.O. Naromurar, P.S. Warsaliganj, District- Nawada.



42. Asha Kumari, D/o Late Badho Singh, Resident of Village- Shivnarayan Bigha, P.S.- Siswan, P.S. Hisua, District- Nawada.
43. Kumari Sunita, S/o Sri Rajdeo Prasad Singh, Resident of Village + P.O. Barhi Bigha (Hisua), P.S. Hisua, District- Nawada.
44. Shakar Prasad Singh, Son of Ram Nandan Singh, Resident of Village + P.O. Manjaur, P.S. Warsaliganj, District- Nawada.
45. Renu Kumari, Wife of Dinesh Prasad Singh, Resident of Village- Shivnarayan Bigha, P.O. Sishwan, P.S.- Hisua, District- Nawada.
46. Pratima Kumari, Wife of Akhilesh Singh, Resident of Village + P.O.- Koshala, P.S. Nardiganj, District- Nawada.
47. Birendra Kumar, Son of Ram Lakhan Manjhi, Resident of Village- Bagodar Laxmipur, P.O. + P.S. Hisua, District- Nawada.
48. Shiv Shankar Chaudhary, Son of Late Kishun Chaudhary, resident of Village- Panchu Khankhanapur, P.O. + P.S. Hisua, District- Nawada.
49. Mahesh Yadav, Son of Bhuneshwar Gope, resident of Village- Badi Talab, P.O. + P.S. Pakri Brawan, District- Nawada.
50. Rekha Kumari, Wife of Ajay Kumar, Resident of Village- Navdiha Kala, P.O. + P.S.- Wazirganj, District- Gaya.
51. Mithilesh Kumar Singh, Son of Late Alakhdeo Singh, Resident of Village- Ratoi, P.O. Mandara, P.S. Roh, District- Nawada.
52. Moshaphir Chaudhary, Son of Late Nageshwar Choudhary, Resident of Village- Piparpati, P.O. Chamotha, P.S. Rajouli, District- Nawada.
53. Dwarika Mochi, son of Late Prasadi Mochi, Resident of Village Gagan Khurd, P.O. Chamotha, P.S. Rajouli, District- Nawada.
54. Chandradeo Prasad, son of Late Prabhu Mahto, Resident of Village- Usman, P.O. Chamotha, P.S. Rajouli, District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Shilpa Singh, GA-12 Mr.Sunil Kumar (AC to GA- 12) Ms. Abhanjali, AC to GA-12
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 09-01-2019 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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