

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.70 of 2018

In

Letters Patent Appeal No.522 of 2016

Udhav Kumar Mishra, Son of Late Ram Awtar Mishra, resident of village & P.O. Sakddi, P.S. Koilwar, District - Bhojpur.

... .. Appellant/Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reform Department, State of Bihar, Patna.
2. The Secretary, Revenue and Land Reform Department, State of Bihar, Patna.
3. The Bihar Staff Selection Commission, through its Secretary, Patna.
4. The Chairman, Bihar Staff Selection Commission, Patna 14.
.....Respondents/Respondents-Ist Set/Opposite Parties.
5. Jainandan Prasad, Son of Sri Janki Prasad, resident of village-Rupachi, P.O. Ushari, P.S. Mahendia, District-Arwal.
6. Pankaj Kumar Singh, Son of Late Ram Shekhar Singh, resident of village-Dhamar, P.S. Ara Mufassil, District-Bhojpur.
7. Kishori Mohan Prasad, Son of Late Haridwar Singh, resident of village-Basanbiga, P.O. Vasari, P.S. Karpi, District-Arwal.
8. Laxman Prasad Keshari, Son of Basudeo Prasad, resident of village-Mahadeva Road, Ara, P.O. Nawada Ara, P.S. Town, District-Ara.
.....Petitioner nos. 2, 4, 6 & 9 in the writ petition...Respondents-2nd Set.
9. Arun Kumar, Son of Sri Ram Lakhan Ram, resident of village-Suroundha, P.O. Paibigha, P.S. Belaganj, District-Gaya.
10. Suresh, Son of Sri Ramadhar, resident of village-Nagarpura, P.O. Barka Sihenpura, P.S. Simari, District- Buxar.
11. Ajay Kumar Ram, Son of Late Ramchandra Ram, resident of village-Maulour, P.S. Charpokhari, District-Arwal.
12. Ram Shankar Ram, Son of Abhimanu Ram. resident of village+P.O. Barkanuao, P.S. Buxar, District-Buxar.
13. Sudama Prasad Singh, Son of Late Baidnath Singh, resident of village-Kutubpur, P.O. Thathan Via- Sarai, P.S. Hajipur Sadar, District-Vaishali.
14. Anand Kishore Narayan, Son of Late Akhilesh Prasad, resident of village-Dighi Kala (West), P.O. Hajipur Sadar, District-Vaishali.

... .. Petitioners/ Appellant nos. 2, 3, 4, 5, 6 and 7..Respondents-3rd Set/Opposite Parties

Appearance :

For the Petitioner : Mrs. Nikki Singh, Advocate.
For the Respondents : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA)



4 09-01-2019 Heard learned counsel for the petitioner and learned counsel for the respondents-State.

This review petition is filed for reviewing the order dated 17.01.2017 passed in L.P.A. No. 522 of 2016 which has been dismissed affirming the judgment and order passed in C.W.J.C. No. 443 of 2016.

Learned counsel for the petitioner also filed I.A. No. 1901 of 2018 for condonation of delay in filing of the aforesaid review petition.

Learned counsel for the petitioner submits that the petitioner and others filed C.W.J.C. No. 443 of 2016 against the publication of result for appointment on the post of Circle Inspector. The petitioner was working on the post of Rajaswa Karamchari and the Bihar Staff Selection Commission issued advertisement for limited examination for recruitment on the post of Circle Inspector from the cadre of Rajaswa Karamchari. It is submitted that no cut-off marks was fixed in the advertisement. Many questions were wrong but the result was published after fixing minimum cut-off marks. Learned Single Bench has held that the cut-off marks was fixed for selection of meritorious candidates and declined to interfere into the result published by the Bihar Staff Selection Commission. The



Division Bench of this Court also after taking into consideration all the facts, dismissed the Letters Patent Appeal finding no merit. The petitioner moved before the Hon'ble Supreme Court in SLP (C) No. 12783 of 2017 but the same was permitted to be withdrawn. Thereafter, the petitioner filed this review petition.

Having considered the facts, we find no material for review of the order passed in L.P.A. No. 522 of 2016. Limitation is condoned but since there is no merit in the review petition, review petition is dismissed.

(Prabhat Kumar Jha, J)

(Sudhir Singh, J)

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