

CIVIL REVIEW No.407 of 2018

Letters Patent Appeal No.112 of 2017

... .. Petitioner/s

1. The State Of Bihar
2. The Principal Secretary, Primary Education, Bihar, Patna.
3. The District Education Officer, Madhubani.
4. The Head Master, Primary School, Garhiya Naruar Block Jhanjharpur, Madhubani.

... .. Opposite Party/s

For the Petitioner/s : Mr.Prafull Chandra Jha, Adv.
For the Opposite Party/s : Mr.Ashutosh Ranjan Pandey – AAG 15

(Per: HONOURABLE THE CHIEF JUSTICE)

3 19-02-2020 I.A. No.7221 of 2018

Having heard learned Counsel for the parties, we are satisfied that the delay has been sufficiently explained. The delay condonation application is allowed. The application is treated to be within time.

C. Review No.407 of 2018

The application filed on 12.09.2018 is listed for hearing for the first time today before the Court.



This review application has been preferred for review of the order dated 19.12.2017, passed in L.P.A. No.112 of 2017, titled as Md. Israil Vs. The State of Bihar & Ors.

The error, factual in nature, sought to be pointed out in this review application, cannot be allowed to be so done, moreso, when the review applicant failed to make necessary correction either before the Writ Court or the Appellate Court, which is now sought to be agitated by this review application. Such error ought to have been brought to the notice of the Court at first point in time.

We do not find any reason to interfere with the well considered judgment rendered by a Co-ordinate Bench of this Court. In our considered view, there is neither any mistake nor error apparent on the face of record or sufficient reason so as to take in its sweep, a ground analogous to those specified in the statutory provisions. There is no material error, manifest on the face of the order, undermining its soundness or resulting into miscarriage of justice. Review is not an appeal in disguise entitling the party to be reheard, simply because the party wants a decision to be otherwise.



Keeping in view the principles laid down in Kamlesh Verma Versus Mayawati and others, (2013) 8 SCC 320 and Medical Council of India Versus Christian Medical College, Vellore & Ors., (2016) 4 SCC 342 , present petition, being devoid of merit, is dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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