

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.111 of 2018

In
Letters Patent Appeal No.1560 of 2014

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1. The State Of Bihar through its Chief Secretary, Old Secretariat, Patna.
 2. The Principal Secretary, General Administration Department, Government of Bihar, Old Secretariat, Patna.
 3. The Joint Secretary , General Administration Department, Government of Bihar, Old Secretariat, Patna.
 4. The Under Secretary, General Administration Department, Government of Bihar, Old Secretariat, Patna.
 5. The Principal Secretary, Rural Development Department, Government of Bihar, Old Secretariat, Patna.
 6. The Deputy Secretary, Rural Development Department, Government of Bihar, Old Secretariat, Patna.
 7. The Collector cum District Magistrate, Araria.
 8. The Secretary, Personnel and Training Department, Personnel, Public Grievance and Pension Ministry, Government of India, New Delhi.

... .. Petitioner/s

Versus

Umesh Kumar Verma son of Late Shatrughan Prasad, Resident of Mohalla-Neelkantha Colony, Phase-II, Post Office- Ashiana Nagar, Police Station-Rajiv Nagar, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Advocate
For the State	:	Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 20-06-2024

Civil Review was filed in the year 2018 and office has raised objections that there is a delay in filing Civil Review. The Appellants complied in the year 2024.

2. Heard I.A. No. 01 of 2024 for condonation of



delay of about five months. We have noticed in the I.A. for condonation of delay, there is an interpolation of certain words in paragraph Nos.1 & 6, which was attested with signature of the concerned Advocate or official and so also there is date on which such interpolation of pleadings have been committed by the appellants. So also the office of this Court has not raised objection. However, such words were incorporated in the absence of office objection and I.A was filed on 16/17-05-2024, where no words are incorporated on 19.05.2024, when it was court record.

3. Be that as it may, delay is about 05 months in filing Civil Review, arising out of Letters Patent Appeal No.1560 of 2014 decided on 13.10.2017. Delay of about 05 months stands condoned.

4. Accordingly, I.A. No. 01 of 2024 stands allowed.

5. Heard the Civil Review petition on merits. There is no error apparent on the face of the record so as to review the order dated 13.10.2017 passed in L.P.A No. 1560 of 2014 of the co-ordinate Bench. The grievance of the review petitioners is limited to the extent of imposition of



cost of Rs. 50,000/- (Rs. Fifty Thousand) on the State Government. Co-ordinate Bench has recorded that it was not a fit case for filing L.P.A. for the reasons that the learned Single Judge while allowing the C.W.J.C. has specifically taken note of that there is violation of Sub-Rule 2 of Rule 18 of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 and its provision has been extracted.

6. When question of law was decided by the learned Single Judge and there is no iota of material to file L.P.A. The co-ordinate Bench on page nos. 4 and 5 recorded reasons to impose cost of Rs. 50,000/- (Rs. Fifty Thousand). Be that as it may, the appellants have not taken any action against the erring officials, who proposed to/opinion expressed to file L.P.A. on the other hand, Civil Review petition has been filed. Therefore, we do not find any glaring error so as to recall the order insofar as the imposition of cost of Rs.50,000/- (Rs. Fifty Thousand) while dismissing L.P.A. No. 1560 of 2014 decided on 13.10.2017.

7. Accordingly, the present Civil Review



petition stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.06.2024
Transmission Date	N.A

