

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.63 of 2024

In
Civil Writ Jurisdiction Case No.13153 of 2014

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Poonam Kumari, D/o. Dwarika Nath Dwivedi, at present working as In-charge Headmaster in Lokmanya Sanskrit Uchcha Vidyalaya Sutihaar, Shahpur, District-Saran and W/o. Prakash Chandra Tripathi, Resident of Bejrahan, P.O- Patti Sital (Sutihaar), P.S- Derni, District- Chhapra.

... .. Petitioner/s

Versus

1. The Bihar Sanskrit Shiksha Board, East Boring Canal Road Patna through its Secretary.
2. The Chairman, Bihar Sanskrit Shiksha Board, East Boring Canal Road, Patna.
3. The Secretary, Bihar Sanskrit Shiksha Board, East Boring Canal Road, Patna.
4. The State of Bihar through Special Director, Secondary Education (Sanskrit) department of Education, Bihar, Patna.
5. Special Director, Secondary Education (Sanskrit) Department of Education, Bihar, Patna.
6. The District Education Officer, Saran at Chapra.
7. The District Programme Officer, Establishment, Saran at Chapra.
8. The Managing Committee of Lokmanya Sanskrit Uchcha Vidyalaya Sutihaar, Shahpur District-Saran.
9. Dr. Ramesh Nath Mishra, Son of Sri Deo Janma Mishra, resident of Village-Sadhpur, P.S. Garakha, District-Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Namrata Mishra, Advocate
For the State	:	Mr. Sarvesh Kr. Singh, AAG-13
For the Sanskrit Shiksha Board	:	Mr. Md. Faiz Ahmed, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 10-04-2024 1. Heard learned counsel for the petitioner and learned counsel for the opposite parties.
2. The instant application has been filed praying for review of the order dated 1.12.2023 passed in CWJC no.13153



of 2014. Paragraph nos. 3 and 4 of the order dated 1.12.2023 of which the review is sought is being reproduced herein below for ready reference:-

“3. Bereft of unnecessary details, it may be stated that a supplementary affidavit cum reply to counter affidavit has been filed on behalf of the petitioner wherein it has been stated that Brajendra Kumar Pathak was removed and one Chandra Shekhar Choubey was discharging the duty of In-charge Headmaster who after retirement handed over charge of the school to the present petitioner on 31.3.2020. Further referring to Memo no.1459 dated 30.9.2020 (Annexure 20) it is submitted that the petitioner also participated in the meeting of the Managing Committee as an ex-officio member in the capacity of the In-charge Headmaster. Lengthy submissions were made on behalf of the petitioner as also on behalf of the respondent-Board, which in view of this Court are irrelevant.

4. The petitioner as per her own affidavit is working in the capacity of a Incharge Headmaster with effect from 31.3.2020. Thus, nothing remains in the instant writ application and the writ application is disposed of as having become infructuous.”

3. It is submitted by learned counsel for the petitioner that before the writ application was disposed of by order dated 1.12.2023 by this Court, the Board had already come out with a



memo no.2106 dated 14.11.2023 permitting the respondent no.9 to work as the In-charge Headmaster and cancelling its earlier memo no.7057 dated 26.12.2023 by which the petitioner was working as In-charge Headmaster of the school. It appears that the said order dated 14.11.2023 was issued by the Board probably in light of the order dated 16.6.2014 passed by the Special Director in Appeal no.4 of 2014. It is thus submitted by learned counsel appearing for the review applicant that when the writ application was being disposed of by order dated 1.12.2023 practically on ground of it having become infructuous, the respondent Board should have brought to the notice of this Court the contents of the memo no. 2106 dated 14.11.2023 permitting the respondent no.9 to work as In-charge Headmaster.

4. Having heard learned counsel for the parties and taking into consideration the submissions made as also the contents of the petition, this review application is disposed of by this Court giving liberty to the petitioner to file a fresh writ application challenging the earlier orders which were the subject matter of CWJC no.13153 of 2014 filed by the petitioner as also all orders against which the petitioner may have grievances either passed prior to or subsequent to passing of the order dated 1.12.2023 in CWJC no. 13153 of 2014 including the order



contained in memo no. 2106 dated 14.11.2023. The petitioner will be at liberty to raise all pending grievances in the fresh writ application.

5. This review application stands disposed of.

(Partha Sarthy, J)

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