

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.193 of 2024

In
Civil Writ Jurisdiction Case No.815 of 2020

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1. RSM Degree College (under JMV Educational Trust) having its Office at Santpur, Dhanupra, Arrah (Bhojpur) through its Secretary, namely, Manoj Kumar, Male, Aged about 48 years, son of Ramjanam Singh, Resident of Moulabag, Arrah, Civil Lines, Pakri, P.S. Ara, District Ara (Bhojpur)
 2. Dharikshan Shanti Meera Siddhanth Degree College through its Secretary Sidhnath Singh, Male, Aged about 64 years, Son of Late Dharikshan Singh Resident of Club Road Ara P.S. Nawada District Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna Patna
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Principal Secretary through Chancellor to Government of Bihar, Raj Bhawan.
5. The Chief Additional Secretary, Education Department, Government of Bihar, Patna.
6. The Vice Chancellor, Magadh University, Bodh Gaya.
7. The Vice-Chancellor, Patliputra University, Patna.
8. The Vice- Chancellor, Sri Arvind Mahila College, Patna.
9. The Vice Chancellor, Bir Kumar Singh, University, Ara.
10. B.R.A. Bihar University, Muzaffarpur.
11. Sant Kabir Mahanth Vidyanand College, Fatuha, Patna.
12. Ranjit Pandit, son of Sri Parshuram Pandit, Resident of Gajipur, P.O. Uproul, P.S. Deshri, Dist. Vaishali at Hazipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Adv.
	:	Mr.Mohit Agarwal, Adv.
	:	Mr. Lokesh Kumar, Adv.
For Magadh University	:	Mr. Sunit Kumar, Adv.
For State	:	Mr. Sarvesh Kumar Singh, AAG-13
For P.P.U.	:	Mr. Rana Vikram Singh, Adv.
	:	Ms. Rasika, Adv.
For the Opposite Party/s	:	Mr.Additional Advocate General 13

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and



**HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

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

4 03-09-2024 1. The present civil review petition is filed by third party in other words review petitioners are not parties to CWJC No. 815 of 2020.

2. Scope of Review Petition under Order 47 Rule 1 of CPC has been elaborately considered by the Hon'ble Supreme Court in its decision in the case of ***Sanjay Kumar Agarwal Vs. State Tax Officer (1) & Anr. reported in 2023 SCC Online SC 1406***, Para 16 read as under:-

“16. The gist of the afore-stated decision is that:-

(i) A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.

(ii) A judgment pronounced by the court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.

(iii) An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record justifying the court to exercise its power of review.

(iv) In exercise of the jurisdiction under Order 47 Rule 1 CPC, it is not permissible for an erroneous decision to be “reheard and corrected”.

(v) A review petition has a limited purpose and cannot be allowed to



be “an appeal in disguise”.

(vi) Under the guise of review, the petitioner cannot be permitted to reagitate and reargue the questions which have already been addressed and decided.

(vii) An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.

(viii) Even the change in law or subsequent decision/judgment of a coordinate or larger Bench by itself cannot be regarded as a ground for review.”

3. In the aforementioned circumstances read with factual aspects of the matter, the present civil review is not maintainable.

4. Accordingly the present civil review petition stands dismissed, reserving the liberty to the petitioner to assail the policy decision of the State Government dated 24.07.2015 in accordance with law.

4. Pending Interlocutory Application(s), if any, shall stands disposed of.

(P. B. Bajanthri, J)

(G. Anupama Chakravarthy, J)

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