

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.58 of 2024

In
Civil Writ Jurisdiction Case No.6553 of 2019

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Hariom Kumar S/o Chhtrabali Paswan, Resident of village- Harna, P.O.-
Injor, P.S.- Rampur-Chouram, Distt. - Arwal.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The Director General of Police, Bihar at Patna.
3. D.I.G, West Champaran, District - West Champaran.
4. The Superintendent of Police, Bagha, District - West Champaran.
5. The Chairman, Central Selection Board (Constable Recruitment), Bihar,
Patna.
6. The Officer on Special Duty, Central Selection Board, (Constable
Recruitment), Bihar, Patna.
7. SDPO-cum-proceeding incharge Officer, Bagha, District - West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Ms. Alka Singh, Advocate
For the Opposite Party/s : Mr. Saroj Kumar Sharma, AC to AAG-III

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-06-2025 The matter has been mentioned by learned counsel for

the petitioner for consideration in the light of the order dated

03.04.2024 passed by this Court in Civil Review No. 119 of

2023 (Ravindra Kumar vs. The State of Bihar and Others).

Since it was contended that the present case is of similar kind,

this Court took the matter out of turn for disposal.

2. This review application has been preferred for

recall of the order dated 10.04.2023 passed by this Court in



CWJC No. 6553 of 2019 along with analogous cases by which this Court was pleased to observe as follows:-

“These writ applications are, therefore, dismissed for the reason that the petitioners have filed these writ applications by ignoring the compliances with the Patna High Court Rules in respect of the earlier writ applications. Implementation of the rules may sometimes cause hardship to the persons like the petitioners but then they have to blame themselves for inviting this hardship. At the same time, for this Court, this cannot be a reason to allow breach of the rule and the practice of the Court. These writ applications are, therefore, dismissed but with liberty to the petitioners to take steps for removal of the defects in the earlier writ petitions in accordance with the rules and practice of this Court and upon restoration of those applications, the matter may proceed. ”

3. It is the case of the petitioner that he had preferred CWJC No. 6553 of 2019 seeking quashing of the order of dismissal of the petitioner passed by Superintendent of Police, Bagaha and the subsequent order passed by Inspector General of Police, Champaran, Bettiah Range.

4. It is stated in the review application that the present petitioner had not preferred any writ application with regard to the challenge to the order of dismissal rather, the petitioner had challenged the order of suspension, however, due to the



petitioner's fault, the petitioner mentioned that he had preferred CWJC No. 7094 of 2018 challenging the order of dismissal from service.

5. This Court has perused the records of CWJC No. 7094 of 2018. It appears on perusal thereof that the petitioner had challenged Annexure '7' to the writ application which is the letter of suspension of petitioner *vide* Bagaha Ziladesh No. 1037/2015 dated 03.12.2015. The said writ application stood dismissed for non-compliance of the peremptory order of this Court passed on 25.09.2018. This Court, therefore, finds substance in the submission of learned counsel for the petitioner that CWJC No. 6553 of 2019 which was tagged with CWJC No. 6428 of 2019 and other cases and were disposed of *vide* common order dated 10.04.2023 was required to be considered separately because it was not a fresh writ application in the same and one matter of CWJC No. 7094 of 2018. A perusal of the order dated 10.04.2023 would show that in course of hearing, learned counsel for the petitioners in all the writ applications admitted that the petitioners had earlier moved this Court, one of the writ application is CWJC No. 7094 of 2018, in fact, it should have been pointed out by the learned counsel for the petitioner that CWJC No. 7094 of 2018 was on a different



subject.

6. Mr. Saroj Kumar Sharma, learned AC to learned AAG-III accepts the position at the Bar and submits that the review application may be allowed.

7. Having regard to the aforementioned facts and submissions, this Court recalls its order dated 10.04.2023 passed in respect of CWJC No. 6553 of 2019. Let CWJC No. 6553 of 2019 be deleted from the list of cases which are governed by the order dated 10.04.2023.

8. The said writ application shall now be placed before an appropriate Bench after seeking the permission of Hon’ble The Chief Justice.

(Rajeev Ranjan Prasad, J)

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