

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.41 of 2023

In
Civil Writ Jurisdiction Case No.10783 of 2021

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1. Gyatri Kumari Daughter of Ratneshwar Thakur Resident of Village- Mansapur, P.S.- Mansapur, District- Madhubani.
 2. Rajdhar Prasad Yadav, Son of Ramfal Yadav Resident of Village- Laxmipur, P.O.- Dhabhi, P.S.- Dhabhi, District- Madhubani.
 3. Pradip Kumar Jha, Son of Mohanji Jha Resident of Village and Post- Mansapur, P.S.- Mansapur, District- Madhubani.
 4. Sanjay Kumar Choudhary, Son of Dilip Choudhary Resident of Village and Post- Mansapur, P.S.- Mansapur, District- Madhubani.
 5. Rubi Kumari, Daughter of Ram Narayan Raman Resident of Village- Hirpatti, P.O.- Kakardobh, P.S.- Narahia, District- Madhubani.
 6. Sisir Choudhary, Son of Sailendra Narayan Choudhary Resident of Village- Dadpatti, P.O. and P.S.- Kursu Ladayami, District- Darbhanga.
 7. Manoj Kumar Yadav, Son of Surya Narayan Yadav Resident of Village- Kurivan, P.O.- Dhabani, P.S.- Dhabahi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
2. The Special Director, Secondary Education, (In-charge Sanskrit), New Secretariat, Patna.
3. The Bihar Sanskrit Shiksha Board, through its Secretary off Polo Road, Patna.
4. The Bihar Sanskrit Shiksha Board, through is Secretary, off Polo Road, Patna.
5. The Managing Committee, through its Secretary, Ajablal Sarbjanik Sanskrit Uchcha Vidyalaya, Mansapur, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Apurva Kumar, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-07-2025 No one appears on behalf of the petitioners though
State is present.



2. The present petition has been preferred for the grant of following relief(s):

“for review of the order dated 12.04.2022 passed in CWJC No. 10783 of 2021 by the Hon’ble Mr. Justice Sanjeev Prakash Sharma (as his lordship then was), has been disposed of the writ petition in terms of order dated 23.02.2022 passed in CWJC No. 5489 of 2020 (Suresh Ram vs. The State of Bihar and Ors.).”

3. The writ petition was filed for the grant of following relief(s):

“(i) For issuance of a writ in the nature of a writ of mandamus directing and commanding the Respondent No.3 and 4 to grant approval to the appointment of the Petitioners on the post of Assistant Teachers duly made by the Managing Committee of the school on the sanctioned post within sanctioned strength (Manak Mandal) and duly recommended by the Secretary/Headmaster of



the school as required under Rule 8(2) of the Bihar Non Government Sanskrit School Teachers Service Conditions Rules 2015.

(ii) For issuance of consequential writ/order/direction to the Respondents for payment of their salary as required under law.

(iii) For issuance of any other consequential writ/order/direction to the Respondents for which the Petitioners are found to be entitled to under the facts and circumstances of the case.”

4. It is the case of the petitioner that the prayer was entirely different and as such, the same was erroneously sent to the District Appellate Authority following the judgment dated 23.02.2022 passed in C.W.J.C. No. 5489 of 2020 (Suresh Ram Vrs. The State of Bihar & Ors.) and connected matters reported in 2022 (2) B.L.J., 381 and the judgment dated 07.03.2022 passed in C.W.J.C. No. 34 of 2022 (Minakshi @ Sushre Minakshi & Anr. Vrs. The State of Bihar & Ors.).

5. Learned State counsel echoes the the statement



made in the review petition.

6. In that background, the Civil Review No. 41 of 2023 is allowed and the order dated 12.04.2022 passed in CWJC No. 10783 is recalled.

7. The writ petition be placed before an appropriate Bench for hearing.

(Rajiv Roy, J)

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