

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.300 of 2017

In
Civil Writ Jurisdiction Case No.6144 of 2017

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Sarva Nand Singh S/o Sri Ramnath Singh, R/o Village- Nilkanth Tola,
Goraiya Asthan, P.O.- Beyahpur, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Primary Education, Department of Human Resources,
Government of Bihar, New Secretaria
3. The Deputy Director, Primary Education, Department of Human Resources,
Government of Bihar, New Sec
4. The District Magistrate, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer Estab., Patna.
7. The District Sarv Shiksha Abhiyan, Patna.
8. The Block Education Officer, Patna.
9. The Mukhiya, Gram Panchayat Akilpur, P.O. P.S.- Akilpur, District- Saran.
10. The Secretary, Gram Panchayat Akilpur, P.O. P.S.- Akilpur, District- Saran.
11. The Block Development Officer, Dighwara, District- Saran.
12. The then Mukhia No. 02 namely Rukhiya Devi, W/o Harendra Mahto, R/o
Village Manupur, P.O. P.S.- Dighwara, District- Saran.
13. The then Gram Panchayat Secretary, Shivji Ram S/o not known Retired
Person, R/o Village P.O.- Parsagarh, P.S.- Ekma, District- Saran.
14. Then Mukhiya No.-01 Suresh Rai, S/o Late Deep Lal Rai, R/o Village-
Batrauli, P.O.- Ganghara, District- Saran.
15. Lagandeo Ray, Son of Ramanuj Rai, Resident of Village- Batarulia, P.S.
Akilpur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-04-2025 Heard the parties.

2. The present review petition has been preferred for:



“review of order dated 27.04.2017 passed in CWJC No. 6144 of 2017 whereby and where under the writ petition of O.P. No. 15 was allowed without hearing the review petitioner as well as the material fact that the experience certificate dated 13.11.2008 of O.P. No. 15 is based on forged certificate issued under the joint signatures of O.P. No.12/then the Mukhiya, Akilpur Gram Panchayat and O.P.No.13/then the Panchayat Sewak, Akilpur Gram Panchayat, was deliberately suppressed from the Hon'ble Single Judge and thus the writ petitioner/O.P.No.15 has played fraud both upon the Hon'ble Court as well as on the authority for obtaining experience certificate dated 13.11.2008. The writ petitioner/O.P.No.15 has further deliberately suppressed the material fact that he was given reasonable opportunity of hearing by the Block Education Officer, Danapur, Patna before passing order contained in Letter no.453 dated 28.2.2017 whereby the experience certificated dated 13.11.2008 of the writ petitioner/O.P. No.15 was



cancelled.”

3. Learned Single Judge (**Hon’ble Mr. Justice Ahsanuddin Amanullah** *as his lordship then was*) vide an order dated **27.04.2017** having taken note of the fact that before cancelling the experience certificate, the **petitioner, Lagandeo Ray** was not heard, remitted back the matter to the respondents and observed as follows:

“the writ petition has been disposed of purely on the short point of there being violation of principles of natural justice and the Court has not expressed any opinion on the merits of the case which shall be decided as and when the occasion arises by the Competent Authorities, in accordance with law”.

4. Aggrieved, the present petitioner who according to learned counsel has been removed to accommodate the original petitioner, Lagandeo Ray has filed the review petition.

5. After some arguments, learned counsel for the petitioner himself concede that if there has been any order pursuant to the disposal of the **CWJC no. 6144 of 2017** against the present petitioner, he has the remedy of challenging the same.



6. Learned State Counsel also echoes the sentiment and submits that the Writ Court did not express any opinion on the merit of the case and it was disposed of simply on the ground that the original petitioner, Lagandeo Ray was not heard before cancellation of the certificate. It thus remitted the matter back to the authorities.

7. This Court has gone through the facts of the case as also the order of the writ Court which has already been incorporated in the earlier paragraphs. The respondents were directed to take a decision after putting the original petitioner on notice as principle of natural justice was violated. If pursuant to the said order, any decision has been taken by the respondents, the same is always open to be challenged.

8. No case of review is made out. The petition stands dismissed.

(Rajiv Roy, J)

Adnan/-

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