

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.384 of 2018

In
Civil Writ Jurisdiction Case No.18620 of 2016

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Shivdev Sharma Son of Late Kailash Sharma Resident of Village-Bidhipur,
Police Station-Salimpur, District-Patna, Bihar.

... .. Petitioner/s

Versus

1. The General Manager, B H E L SAS Maurya Lok Complex, Patna.
2. Administrative Officer, M/S Purbanchal Ex-Servicemen Welfare Association, 07, Mullen Street, Kolkata-700020.
3. The Director, M/S Panther Security Services Pvt. Ltd, Kankarbagh, Patna.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 24-04-2025 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

*(i) for the review of the oral judgment
dated 03/08/2018 passed in C.W.J.C. No.
18620/2016 by Hon'ble Mr. Justice
Ahsanuddin Amanullah (as his Lordship
then was) whereby the above mentioned
writ petition has been disposed of under
the presumption that the grievance of the
petitioner has been redressed. The
Hon'ble court came to this presumption as*



*the learned Advocate did not appear in
the case when the same was called out.*

3. The writ Court read as follows:

*Nobody appears on behalf of the
petitioner.*

*2. The writ petition has been filed for
payment of gratuity in terms of the order
of the Controlling Authority under the
Payment of Gratuity Act, 1972 and
Assistant Labour Commissioner
(Central) Patna.*

*3. The writ petition having been filed in
November, 2016 and today nobody
appearing on behalf of the petitioner
indicates that the grievance of the
petitioner has been redressed.*

*4. In view thereof, the writ petition
stands disposed off.*

4. It is contention of the petitioner that contrary to the
observation, the payment was not made.

5. A perusal of the review petition would show that
the petitioner was employed as Security Guard by M/s



Purbanchal Ex-Servicemen Welfare Association to serve as guard in the Bharat Heavy Electricals Limited (henceforth for short 'the BHEL')

6. In that background, when the employer itself is a private agency, there is/was no question of any direction to it simply because the petitioner was serving in 'the BHEL', the Regional Office, Patna that cannot be any ground.

7. Having clarified the fact, this Court is of the opinion that even otherwise, no case of review is made out. Accordingly, the petition stands dismissed.

(Rajiv Roy, J)

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