

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL REVIEW No.285 of 2024**

**In**  
**Civil Writ Jurisdiction Case No.9327 of 2022**

Shrishti Singh daughter of Pankaj Singh, Resident of H/o Mr. Pankaj, Sur-Sudha Apartment Lane, Near Mahalaxmi Apartment, East Boring Canal Road, P.S.- Buddha Colony, District- Patna, Bihar- 800001.

... .. Petitioner

Versus

1. The State of Bihar.
2. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. Director, Midday Meal, Bihar.
4. Director, Pradhan Mantri Poshan Yojana, Bihar.
5. Director, Bihar State Project Education Council and Sarv Siksha Abhiyan, 4, Saidpur Road, Naya tola, Bhikhana Pahari, Patna, Bihar 800004.
6. The District Magistrate-cum-Chairman, District Level Contractor Selection Committee, Siwan.
7. The District Magistrate-cum-Chairman, District Level Contractor Selection Committee, Araria.
8. The District Magistrate-cum-Chairman, District Level Contractor Selection Committee, Jamui.
9. The District Programme Officer-cum-Member Secretary, District Level Contractor Selection Committee, Siwan.
10. The District Programme Officer-cum-Member Secretary, District Level Contractor Selection Committee, Araria.
11. The District Programme Officer-cum-Member Secretary, District Level Contractor Selection Committee, Jamui.
12. Kashi Nath Singh, Son of Chandra Mohan Singh, resident of village - Ramnagar Andar Dhala, Siwan, P.O.- Main Post Office, P.S.- Town Siwan, District - Siwan, Bihar - 841226.
13. Shiv Kumar, Son of America Ram, resident of village and P.O.- Hathaura, P.S.- Hussainganj, District - Siwan, Bihar- 841237.
14. Akhilesh Kumar Singh, Son of Chandra Mohan Singh, resident of village- Ramnagar Andar Dhala, Siwan, P.O.- Main Post Office, P.S.- Town Siwan, District- Siwan, Bihar - 841226.
15. Sunil Kumar, daughter of Chhotelal Prasad, resident of village and P.O.- Barhariya, P.S.- Barhariya, District- Siwan, Bihar - 841232.
16. Munna Prasad, Son of Ram Swarup Prasad, resident of village- Shri Nagar, Mairwa, P.O. and P.S. - Mairwa, District- Siwan, Bihar - 841239.
17. Shashi Kumar, Son of Shambhu Prasad, resident of village- Makhadum Sarai Math, Siwan, P.O. - Main Post Office, P.S.- Town Siwan, District- Siwan, Bihar- 841226.
18. Pranav Kumar Ray, Son of Narwadeshwar Ray, resident of village and P.O.-



Titra, P.S.- Mairwa, District - Siwan, Bihar- 841245.

- 19. Indardev Yadav, Son of Late Sukhdeo Yadav, resident of village- Tenghara, P.O. - Malepur, P.S.- Barhat, District- Jamui, Bihar - 811313.
- 20. Khagendra Kumar, Son of Sri Hemnarayan Singh, resident of Sultan Pokhar, Ward No.- 2, P.O. and P.S. - Forbesganj, District- Araria, Bihar- 854318.
- 21. Piyush Raj, Son of Late Santosh Kumar, resident of Surendra Singh Tola, Barhaua, P.O.- Maujara, Jogta, P.S.- Ranjiganj, District- Araria, Bihar- 854334.

... .. Opposite Parties

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**Appearance :**

|                             |   |                                 |
|-----------------------------|---|---------------------------------|
| For the Petitioner          | : | Mr. Y.V.Giri, Senior Advocate   |
|                             |   | Mr. Devashish Giri, Advocate    |
| For the State               | : | Mr. Sarvesh Kumar Singh, AAG-13 |
| For the Opposite Party No.3 | : | Mr. Girijesh Kumar, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI**  
**and**  
**HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**and**  
**HONOURABLE MR. JUSTICE RUDRA PRAKASH**  
**MISHRA**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI)**

3      07-02-2025                      The applicant, who is an Advocate and was appearing on behalf of the petitioners in C.W.J.C. No. 9327 of 2022, has filed the present civil review application seeking review of the order dated 30.08.2024 passed in C.W.J.C. No. 9327 of 2022 (Kashi Nath Singh & Ors. v. The State of Bihar & Ors.) with a prayer that the observations made in paragraph 3.2 and paragraph 8.5 may be expunged.

2. Heard Mr. Y.V.Giri, learned Senior Counsel appearing on behalf of the applicant, Mr. Sarvesh Kumar Singh, learned AAG-13 for the State and Mr. Girijesh Kumar for opposite party No.3.



3. Mr. Y.V.Giri, learned Senior Counsel appearing on behalf of the applicant requested that the observation made by this Court in paragraph 3.2 as well as 8.5 in the order dated 30.08.2024 passed in C.W.J.C. No. 9227 of 2022 be reviewed and thereby the aforesaid order be suitably modified.

4. Learned advocates appearing on behalf of the opposite parties have no objection with regard to the aforesaid submission canvassed by the learned Senior Counsel for the applicant.

5. Having heard learned counsel for the parties and having gone through the materials placed on record, we are of the view that the observations made by this Court in paragraph 3.2 as well as 8.5 are required to be modified.

6. Paragraphs 3.2 and 8.5 of the order dated 30.08.2024 passed in C.W.J.C. No. 9227 of 2022 read as under:-

*“3.2. At this stage, it is pertinent to note that the present petition was listed before another Division Bench of this Court. It appears from the record that learned counsel for the present petitioners, who was also appearing with Senior Counsel in the previous batch of petitions, did not point out about dismissal of S.L.A's. filed by the similarly situated persons by the Hon'ble Supreme Court. Thus, when the present*



*petition was listed before another Division Bench on 04.01.2023, the second Division Bench after recording submissions of learned counsel for the parties and being unaware about the dismissal of the S.L.A's. filed by the similarly situated persons recorded the submissions of the parties and when the second Division Bench was not agreeable with the view taken by the first Division Bench, referred the aforesaid points for consideration by a Larger Bench."*

*8.5. Thereafter, it appears that petition being CWJC No. 8807 of 2022 and allied matters were listed before the first Division Bench, which has dismissed all the petitions vide order dated 11.10.2022. However, for the reasons best known to the present petitioners, the present petition was not listed with the aforesaid batch of petitions."*

7. Accordingly, both the paragraphs, i.e., paragraphs 3.2 and 8.5, appearing in the order dated 30.08.2024 passed in C.W.J.C. No. 9227 of 2022 stand deleted and stand substituted by following paragraphs: -

“3.2. At this stage, it is pertinent to note that the present petition was listed before another Division Bench of this Court. It appears from the record that the second Division Bench was not aware about the dismissal



of SLAs filed by the similarly situated persons by the Hon'ble Supreme Court. Thus, when the present petition was listed before another Division Bench on 04.01.2023, the second Division Bench after recording submissions of learned counsel for the parties and being unaware about the dismissal of the S.L.A's. filed by the similarly situated persons recorded the submissions of the parties and when the second Division Bench was not agreeable with the view taken by the first Division Bench, referred the aforesaid points for consideration by a Larger Bench."

8.5. Thereafter, it appears that petition being CWJC No. 8807 of 2022 and allied matters were listed before the first Division Bench, which has dismissed all the petitions vide order dated 11.10.2022. However, present petition was not listed with the other batch of petitions."

8. Accordingly, the order dated 30.08.2024, passed in C.W.J.C. No. 9227 of 2022, stands amended to the aforesaid extent.

9. This application stands disposed of.

**(Vipul M. Pancholi, J)**

**(Anjani Kumar Sharan, J)**

**(Rudra Prakash Mishra, J)**

Pawan/-

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