

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CIVIL REVIEW No.142 of 2025**

**In**  
**Letters Patent Appeal No.309 of 2022**

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1. The State of Bihar through the Principal Secretary, General Administrative Department Govt. of Bihar, Patna.
  2. The Additional Secretary, General Administrative Department, Govt. of Bihar, Patna.

... .. Petitioner/s

Versus

1. Sushma Kumari Wife of Sri Pritam Kumar, Resident of Mohalla- Mayur Vihar Colony (Shyam Nagar) P.O. Khajpur, P.S. Rajiv Nagar, District- Patna.
2. The Bihar Public Service Commission, Patna through its Secretary.
3. The Chairman, Bihar Public Service Commission, Patna.
4. The Secretary, Bihar Public Service Commission, Patna.
5. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, Patna.

... .. Opposite Party/s

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**Appearance :**

For the State : Mr. P.K. Shahi, A.G.  
Mr. Sheo Shankar Prasad, SC-8  
Mr. Sanjay Kumar, AC to SC-8

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**and**  
**HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)**

4      18-03-2026      The present review application has been preferred in  
light of the order passed by the Coordinate Bench of this Court



in M.J.C. Case No. 1688 of 2023 arising out of L.P.A No. 309 of 2022. The modification application filed on behalf of the petitioner was dismissed *vide* order dated 03.04.2025, which is reproduced hereinbelow:-

*“The present MJC is for modification of the order dated 17.04.2023 passed in LPA No. 309 of 2022 in particularly paragraph no. 4. Learned counsel for the petitioners submitted that Coordinate Bench has committed an error insofar as 3% of the posts are reserved for Scheduled Tribe women candidates etc., it should have been reserved for women backward classes. Such alteration is not permissible in the guise of filing MJC (Modification). Therefore, the present MJC (Modification) is not maintainable. MJC (Modification) is entertainable only if there is any typographical error. On the other hand, in the present case material information is required to be examined. Therefore, the only remedy available to the petitioners is in filing Civil Review.*

*2. At this stage, learned counsel for the petitioners intends to withdraw the present MJC (Modification).*

*3. Accordingly, MJC stands dismissed as withdrawn.”*

2. Learned Coordinate Bench, while dismissing the aforesaid modification application, granted liberty to the petitioner to prefer a review application.

3. Learned counsel for the petitioner submits that the



observation made in paragraph 4 of the judgment dated 17.04.2023 passed in L.P.A. No. 309 of 2022 suffers from typographical error. The relevant part of the said judgment is reproduced hereinbelow:-

*“4. ....The learned Advocate General also has a further submission that 3% of the posts are reserved for Scheduled Tribe women candidates and in that circumstance, applying 35% reservation can only lead to such percentage being applied on 97 vacancies which essentially would work out to 34% of the total vacancies.”*

4. It is further submitted that, as per the applicable provisions, 3% of the posts are reserved for women backward class and not for Scheduled Tribe women candidates.

5. Learned Advocate General supports the contention advanced on behalf of the petitioner.

6. Considering the submissions made on behalf of the parties and upon perusal of the records, the expression ‘Scheduled Tribe women candidates’ occurring in paragraph 4 of the judgment dated 17.04.2026 passed in L.P.A. No. 309 of 2022 shall be read as ‘Women Backward Class’.

7. With the aforesaid modification/clarification, the present review application stands disposed of.

8. Pending application(s), if any, shall also stand



disposed of.

(Sudhir Singh, J)

(Shailendra Singh, J)

Sachin/-

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