

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21104 of 2013

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Masihujma Khan S/O Late Badiujma Khan R/O Village Chainpur, Pathan
Toli, P.S. Chainpur, District- Kaimur Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Road Construction Department, Govt. of Bihar
3. The Chief Engineer Rural Engineering Organization, New
Secretariat, Baily Road, Patna
4. The Collector Kaimur at Bhabhua
5. The Executive Engineer, Rural Engineering Organization,
Kaimur, Bhabhua
6. The S.D.O., Rural Engineering, Organization, Kaimur

.... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Respondent/s : Mr. Ajay Kumar Sharma, AC to PAAG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-12-2015 Admittedly, for identical relief, the petitioner had moved this Court earlier in CWJC No. 10018 of 2007, which was dismissed as withdrawn with certain liberty by order dated 19.04.2012 passed by a Bench of this court (Coram: Dr.Ravi Ranjan,J.).

Learned counsel appearing on behalf of the petitioner submits that, despite order of injunction passed by the Civil Court, the State of Bihar and its functionaries are not complying the order passed by the Civil Court.

I am afraid, against such action, the writ petition is not maintainable. The petitioner must approach the Civil Court itself for an appropriate order. The present writ petition is apparently barred by the principles of res judicata in view of order contained in Annexure-3 and accordingly, this writ petition is dismissed.

(Birendra Prasad Verma, J)

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