

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4871 of 2014

In
SA 369 of 2000

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Lala Shashi Bhushan Prasad Verma, Son of Late Tribeni Prasad, Ex-
Assistant Accounts Officers, Resident of Road No. 9 (Last) South Ashok
Nagar, Kankarbagh, Patna-20.

.... Petitioner/s

Versus

1. Union of India, through the Chief Secretary, Union of India, Union Secretariat Building, New Delhi.
2. The Financial Advisor (Defence Service) Government of India, Ministry of Defence, New Delhi.
3. The Secretary, Ministry of Defence, Government of India, New Delhi-11.
4. The Controller General of Defence Accounts, R.K Puram, West Block-V, New Delhi-32.
5. The Controller of Defence Accounts, Frazer Road, Patna-19.
6. Sri S. Vishwanath, Joint Controller of Defence, Frazer Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lala Shashi Bhushan Prasad Verma, in person

For the Union of India : Mrs. (Dr.) Punam Kumari Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 11-03-2015 Heard the petitioner in person.

This application has been filed praying for correction of the name of the appellant in the title page of S.A. No. 369 of 2000 as well as in the title page of the judgment and decree dated 18.05.2012 by which the said second appeal has been disposed of.

The petitioner has submitted that by bonafide mistake his name in the memo of appeal was mentioned as 'Lala Shashi Bhushan Verma' in place of 'Lala Shashi Bhushan Prasad Verma'.

From the perusal of the records, it transpires that the name of the petitioner has been mentioned as 'Lala Shashi Bhushan Prasad Verma' in the impugned judgments of the courts below. In the affidavit portion accompanying the memo of second appeal also the name of the petitioner has been mentioned as 'Lala Shashi Bhushan Prasad Verma'. This fact is further fortified from the memo of analogous second appeal no. 73 of 2001 filed by the respondents of second appeal no. 369 of 2000 wherein the name of the appellant-petitioner has been mentioned as 'Lala Shashi Bhushan Prasad Verma'. This Court, therefore, is inclined to take the view that the name of the appellant in the memo of appeal of the second appeal no. 369 of 2000 in its title page has been mentioned as 'Lala Shashi Bhushan Verma' by bonafide mistake on the part of the appellant-petitioner himself.

The learned counsel for the respondent-opposite parties has expressed no objection to the prayer for modification as made by the petitioner.

As such, the prayer for correction of the name of the appellant as 'Lala Shashi Bhushan Prasad Verma' in place of

‘Lala Shashi Bhushan Verma’ in the title page of the memo of second appeal no. 369 of 2000 is allowed and the same shall stand corrected as ‘Lala Shashi Bhushan Prasad Verma’. Accordingly, the judgment and decree dated 18.05.2012 passed in S.A. No. 369 of 2000 with S.A. No. 73 of 2001 is modified only to the extent that the name of the appellant mentioned as ‘Lala Shashi Bhushan Verma’ in the title page of S.A. No. 369 of 2000 shall be read as ‘Lala Shashi Bhushan Prasad Verma’.

This application is, accordingly, allowed.

(V. Nath, J)

Devendra/-

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