

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1783 of 2015**

**In**

**Civil Writ Jurisdiction Case No. 5946 of 2011**

=====

Dr. Ejaj Ahmad, son of Md. Nuruddin Hassan, resident of village- Mahuawa, P.S.- Shikarpur, District- West Champaran, At Present resident of Mohalla- Purani Bazaar, Narkaitaganj, P.S.- Shikarpur, District- West Champaran.

.... .... Petitioner/s

Versus

1. The General Manager State Bank of India, Local Head Office, Near Gandhi Maidan.
2. The Branch Manager, State Bank of India, Narkatiaganj Branch, West Champaran.
3. Subhash Chakraborty, The Area Officer, State Bank of India, Narkatiaganj Branch, West Champaran.
4. Pappu Singh, Vision Recovery Agency, State Bank of India, Circle Officer, Patna.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : None

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      07-10-2015      Heard learned counsel for the petitioner. None appears on behalf of the opposite parties, though the name of the learned counsel appearing on behalf of the opposite parties is printed in the daily cause list.

The present MJC application has been filed for restoration of CWJC No.5946 of 2011, which stood dismissed for want of prosecution by the order dated 23.06.2015.

After having heard the learned counsel for the petitioner and taking into consideration the nature of the claims/grievances raised on behalf of the petitioner in the aforesaid writ petition, this Court is of the opinion that, instead of restoring the aforesaid CWJC No.5946 of 2011 to its original file,

interest of justice shall be sub-served, if the petitioner is granted liberty either to file a fresh writ petition in the same subject matter, after bringing on record all the subsequent developments, which might have taken place during the interregnum period or to approach the appropriate authority/court/tribunal for grant of appropriate relief(s) with respect to the issues raised in the aforesaid CWJC No.5946 of 2011. It is ordered accordingly.

If such a writ petition is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, or alternatively, if the petitioner approaches the appropriate authority/court/tribunal for grant of appropriate relief(s), then the same shall be considered and decided on its own merit, without being prejudiced/influenced by dismissal of the aforesaid CWJC No.5946 of 2011 by the aforesaid order dated 23.06.2015.

The present MJC application stands finally disposed of with the observations and directions made above.

**(Birendra Prasad Verma, J)**

Arvind/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|