

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11166 of 1995

Dr.Vidyanand Prasad Sinha, son of late Ramsharan Prasad, resident of B/90, Housing Colony, Lohianagar, Kankarbagh, P.S. Kankarbagh in the town of Patna

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Housing, Govt. of Bihar, Old Secretariat, Patna
2. The Bihar State Housing Board through its Managing Director, Bir Chand Patel Marg, Patna
3. The Manager cum special Secretary, Bihar State Housing Board, Govt. of Bihar, Patna
4. The Chief Engineer, Bihar State Housing Board, Govt. of Bihar, Patna
5. The Executive Engineer, Patna Division-1, Bihar State Housing Board, Govt. of Bihar, Patna
6. Ayodhya Prasad Pandey, son of late Shambhu Pandey, resident of village Diul, P.S. Jagdishpur, District Bhojpur, presently residing in Rentrail Flat No. 248, Lohianagar, Kankarbagh, in the town of Patna

.... Respondents

with

Civil Writ Jurisdiction Case No.11803 of 1997

Dr.Vidyanand Prasad Sinha, son of late Ramsharan Prasad, resident of B/90, Housing Colony, Lohianagar, Kankarbagh, P.S. Kankarbagh in the town of Patna

.... Petitioner

Versus

1. The State of Bihar, through the Secretary, Department of Housing, Govt. of Bihar, Old Secretariat, Patna
2. The Bihar State Housing Board through its Managing Director, Bir Chand Patel Marg, Patna
3. The Manager cum special Secretary, Bihar State Housing Board, Govt. of Bihar, Patna
4. The Chief Engineer, Bihar State Housing Board, Govt. of Bihar, Patna
5. The Executive Engineer, Patna Division-1, Bihar State Housing Board, Govt. of Bihar, Patna
6. Ayodhya Prasad Pandey, son of late Shambhu Pandey, resident of village Diul, P.S. Jagdishpur, District Bhojpur, presently residing in Rentrail Flat No. 248, Lohianagar, Kankarbagh, in the town of Patna

.... Respondents

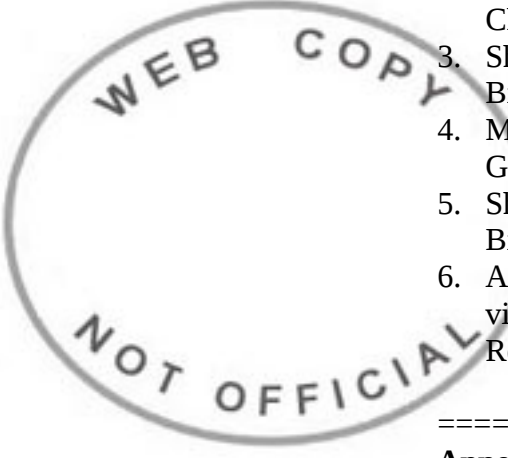
with

Miscellaneous Jurisdiction Case No.3081 of 1999

Dr.Vidyanand Prasad Sinha, son of late Ramsharan Prasad, resident of B/90, Housing Colony, Lohianagar, Kankarbagh, P.S. Kankarbagh in the town of Patna

.... Petitioner

Versus

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1. Sri Shashikant Sharma, through the Secretary, Department of Housing, Govt. of Bihar, Old Secretariat, Patna
 2. Shri Amir Subhani, Managing Director, Bihar State Housing Board , Bir Chand Patel Marg, Patna
 3. Shri Nagendra Prasad Singh, Estate Manager cum special Secretary, Bihar State Housing Board, Govt. of Bihar, Patna
 4. Mr. Deosundar Paswan, Chief Engineer, Bihar State Housing Board, Govt. of Bihar, Patna
 5. Shri Narendra Prasad Singh, Executive Engineer, Patna Division-1, Bihar State Housing Board, Govt. of Bihar, Patna
 6. Ayodhya Prasad Pandey, son of late Shambhu Pandey, resident of village Diul, P.S. Jagdishpur, District Bhojpur, presently residing in Rentr Flat No. 248, Lohianagar, Kankarbagh, in the town of Patna
- Opp.Parties
- =====

Appearance :

(In CWJC No.11166 of 1995)

For the Petitioner/s : Mr. Anjani Kumar
Mr. Nagendra Prasad Sinha

For the Respondent/s : Mr. (Gp2)
Mr. Rajiv Nayan Singh
Mr. /Mrs.Santosh Singh
Mr. Sanjeev Jaiswal
Mr. Shola Sanshwar
Mr. Ashwani Kr.Sinha
Mr. Vijay Shankar Shrivastava
Mr. Uday Shankar Choudhary

(In CWJC No.11803 of 1997)

For the Petitioner/s : Mr. Anjani Kumar

For the Respondent/s : Mr. J.N.Jha (Gp2)
Mr. Shrawan Kumar
Mr. Rajiv Nayan Singh
Mr. Ashwani Kumar Singh
Mr. Vijay Shankar Shrivastava

(In MJC No.3081 of 1999)

For the Petitioner/s : Mr. Anjani Kumar

For the Respondent/s : Mr. Shravan Kumar
Mr. Rajiv Nayan Singh
Mr. Brij Bhushan Mishra
Mr. Dwijendra Mishra

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

17 30-01-2015

Heard learned counsel for the parties.

Having regard to the fact that respondent no.6 has already
died on 9.4.2010 and the entire action is dependent on respondent

no.6, who was the beneficiary of an order passed by the District Consumer Forum, if his substitution has not been made by the petitioner in these writ applications, both these writ applications must be deemed to have abated, especially when the petitioner now is also said to have died during the pendency of the writ applications. Thus, both the writ applications are dismissed as having become abated.

Nothing said in this order, however, will come in the way of the heirs/ legal representative of the petitioner to approach the State Consumer Forum against the order passed by the District Consumer Forum in favour of the deceased respondent no.6 which of course will be led by the State Consumer Forum in accordance with law.

M.J.C.No. 3081/1999

Since both the writ applications have been held to have abated this contempt application is also disposed of with a clear warning to the authorities of the Housing Board to remain more vigilant and careful in future.

(Mihir Kumar Jha, J)

surendra/-

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