

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7155 of 1997

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Nand Kishore Chaudhary, son of late Lila Nand Chaudhary, resident of village-Sitapur, P.S.-Birpur, District-Supaul, presently working as Jeep Driver Mechanical Division No.2, Koshi Project, Birpur, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Irrigation (Mechanical) Irrigation Building, Bailey Road, Patna.
2. The Under Secretary, Department of Irrigation, Bihar, Patna.
3. The Chief Engineer (Mechanical) Water Resources Department, Patna.
4. The Superintending Engineer (Mechanical) Department of Irrigation, Mechanical Circle, Koshi Project, Birpur, District-Supaul.
5. The Executive Engineer, Mechanical Division No.II, Koshi Project, Birpur, District-Supaul.
6. Prithivi Chand Das, son of not known to the petitioner, presently posted as Jeep Driver-cum-Fitter Grade-I, Mechanical Division No.II, Koshi Project, Birpur, District-Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.B.K.Mangalam

For the Respondent nos.1to5: Mr. Kumar Priya Ranjan, SC-23

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

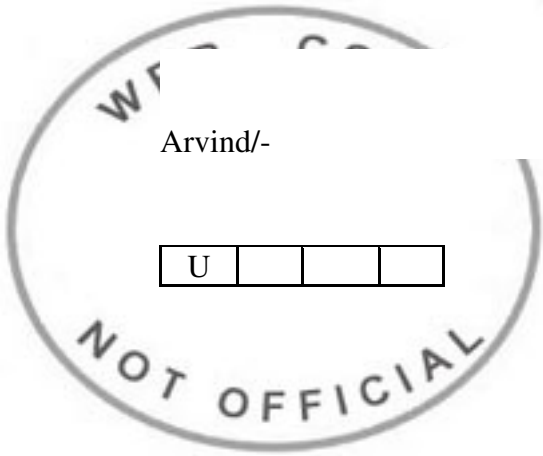
7 29-01-2015

When this matter was taken up for consideration on merit on 07.03.2014 under the heading "For Hearing", learned counsel appearing on behalf of the petitioner submitted that the writ petitioner has died during the pendency of the present writ petition. On his request, the matter was adjourned for eight weeks enabling him to file a substitution petition.

Since the date of the aforesaid order dated 07.03.2014 more than ten months have already elapsed, but till date the substitution petition has not been filed by the heirs and legal representatives of the deceased petitioner seeking their substitution in the present proceeding.

In above view of the matter particularly, in view of the death of the sole writ petitioner during the pendency of the present

writ petition, it has abated and, is, accordingly dismissed.



(Birendra Prasad Verma, J)

Arvind/-

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