

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.499 of 2015**

**In**

**Civil Writ Jurisdiction Case No. 14716 of 2006**

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Rajiv Ranjan Prasad son of late Adya Prasad, permanent resident of Mohalla- A/138, Housing Colony, Kankarbagh, P.O.- Lohiyanagar, Police Station- Kankarbagh, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Commissioner and Secretary, Cabinet Secretariat and Co-Ordination Department, Bihar, Patna.
2. The Deputy Secretary, Department of Cabinet Secretariat and Co-Ordination, Bihar, Patna.
3. The Directorate, Directorate of Archives, Patna.

.... .... Opp. Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vikash Jha  
Mrs. Renu Jha

For the Opp. Party/s : Mr. Biresh Kr Sinha, AC to AAG 2

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

2      26-08-2015                      Heard the parties.

The present application has been filed on behalf of the petitioner seeking restoration of C.W.J.C. No. 14716 of 2006, which stood dismissed for want of prosecution by an order dated 30.01.2015.

After having heard the parties and taking into consideration the entire facts, this Court is of the opinion that instead of restoring the old writ petition of the year 2006 to its original file, the interest of justice shall be sub-served if the petitioner is granted liberty 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. It is ordered accordingly.

If such a fresh writ petition is filed on behalf of the petitioner in the same subject matter within a period of one month

from today, then the same shall be heard and decided on its own merit without being prejudiced/ influenced by the dismissal of C.W.J.C. No.14716 of 2006 and that shall not be dismissed on the ground of the principles of res judicata.

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

**(Birendra Prasad Verma, J)**

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