

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4431 of 2014

In

Civil Writ Jurisdiction Case No. 14226 of 2006

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Sita Ram Mahto, son of Late Ram Khelawan Mahto, Resident of village -
Hatha Gangrha, P.O. Hatha, P.S. Piar, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner - cum - Secretary, Department of Human Resources,
Government of Bihar, New Secretariat, Bailey Road, Patna
3. The Director, Secondary Education, Bihar, New Secretariat, Patna
4. The Divisional Commissioner, Tirhut Division, Muzaffarpur
5. Regional Deputy Director of Education, Muzaffarpur
6. The District Education officer, Muzaffarpur
7. The Collector, Muzaffarpur
8. The Sub Divisional officer (East) Muzaffarpur
9. The Deputy Collector Land Reforms (East) Muzaffarpur
10. Anchal Adhikari, Bandra Anchal, District - Muzaffarpur
11. The Head Master, High School, Hatha, P.O. Hatha, P.S. Piar, District -
Muzaffarpur
12. Amiri Prasad Rai son of Late Bal Mukund Rai Resident of village -
Hatha Gagrha, P.O. Hatha, P.S. Piar, District - Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kumar Thakur

For the Opposite Party nos.1to10 : Mr. Karandeep Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 04-11-2015

Heard the parties.

The present MJC application has been filed for restoration of CWJC No.14226 of 2006, which stood dismissed for want of prosecution by the order dated 14.11.2014.

Taking into consideration the nature of the issues raised and the prayer made on behalf of the petitioner in the aforesaid CWJC No.14226 of 2006, this Court is of the opinion that, instead of restoring the aforesaid CWJC No.14226 of 2006 to its original file, 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 writ petition is filed on behalf of the petitioner within a period of two months from today with a certified copy of the present order, then the same shall be considered and decided on its own merit and shall not be dismissed on the ground of principles of res judicata.

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

(Birendra Prasad Verma, J)

Arvind/-

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