

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2157 of 2015

In
Civil Writ Jurisdiction Case No. 6295 of 2011

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Anil Kumar Das son of late Shankar Das, resident of village Chetan Parsa,
P.S.Parsa, District Saran (Chapra)

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Petroleum Oil and Natural Gas, New Delhi
2. The Secretary, Department of Petroleum Oil and Natural Gas, New Delhi
3. The Hindustan Petroleum Corporation Limited Patna territory (LPG) through its Manager (LPG), Patna LPG Region, 6th floor, Lok Nayak Jay Prakash Bhawan, Post Box No. 40, Dak Bungalow Chowk, Patna-800001
4. The Territory Manager (LPG), Patna
5. Binod Das son of Shri Adalat Das, resident of village Shankar Dih, P.S.Parsa, District Saran (Chapra)

.... Opposite Parties/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opp.Parties : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioner. None appears for the opposite parties.

The present MJC application has been filed on behalf of the petitioner for restoration of CWJC No. 6295 of 2011 which stood dismissed for want of prosecution by order dated 26.06.2015.

In view of the nature of claims raised on behalf of the petitioner and in view of passage of time, this Court is of the opinion that instead of restoring the aforesaid writ petition to its original file, the interest of justice shall be subserved 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 one month from today, the same shall be considered and decided on its own merits without being prejudiced by order dated 26.06.2015 passed in CWJC No. 6295 of 2011 and it shall not be dismissed on the principles of res judicata.

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

(Birendra Prasad Verma, J)

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