

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4175 of 2009

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Ramjatan Yadav son of Late Ram Sakal Yadav, resident of village & P.O. Motipur, Tole Murli, P.S.Rosera, District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate-cum-Collector, Samastipur
2. The Subdivisional Magistrate, Rosera Subdivision, District Samastipur
3. The Circle Officer, Roserea Block, District Samastipur
4. The Revenue Clerk/Halka Karamchari, Rosera Circle, District Samastipur
5. Sitaram Yadav son of Radhey Yadav
6. Rambilash Yadav son of Sonelal Yadav
7. Ramsobhit Yadav son of Pitamber Yadav

Respondent no. 5 to 7 are resident of village and P.O. Motipur, Tole Murli, P.S.Rosera, District Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rishit Deo Kr.Singh, Advocate

For the Respondent Nos. 1 to 4 : Mr.Subodh Kumar, AC to GP 14

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 02-04-2015

From perusal of the office note dated 30.03.2015 it appears that the writ petition stood dismissed against the contesting respondent nos. 5 to 7 on account of non-compliance of the Court's order dated 14.09.2010. It further appears that when the matter was listed once again before a Bench of this Court, then by order dated 25.01.2011, liberty was granted to the petitioner to file restoration application, if so advised. However, despite passage of more than four years, no such restoration application has been filed on behalf of the petitioner till date.

Apparently, claim of the writ petitioner in the present proceeding is mainly against the respondent nos. 5 to 7 against whom the writ petition stood rejected, as noticed above. In absence of the respondent nos. 5 to 7, the issue raised herein

cannot be effectively adjudicated upon. In that view of the matter, the writ petition has become incompetent and cannot proceed further. It is, accordingly, dismissed.

(Birendra Prasad Verma, J)

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