

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1960 of 2015

In

Civil Writ Jurisdiction Case No. 20051 of 2010

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Ravi Ranjan Kumar Singh Son of Raj Narain Singh, Resident of Village-
Akauna, P.S.- Pakridayal, District- Motihari

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Motihari, East Champaran
3. The Deputy Development Commissioner, East Champaran
4. The Executive Officer, Pakridayal, East Champaran
5. The Project Officer, District Rural Development Authority, East
Champaran, Motihari
6. Regional Development Officer, Tirhut Division, Muzaffarpur

.... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv.
Mr. Santosh Kr. Pandey

For the Opp. Party/s : Mr. Sanjay Kumar, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-11-2015 Heard the parties.

The present M.J.C. application has been filed on behalf of the petitioner seeking restoration of C.W.J.C. No. 20051 of 2010, which stood dismissed for want of prosecution by an order dated 17.04.2015.

Taking into consideration the nature of claims raised on behalf of the petitioner in the aforesaid C.W.J.C. No. 20051 of 2010 and the issues involved therein, this Court is of the opinion that instead of restoring the aforesaid C.W.J.C. No. 20051 of 2010 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 with a certified copy of the present order within a period of two months from today, then the same shall be considered and decided on its own merit without being prejudiced/ influenced by the order dated 17.04.2015 passed in C.W.J.C. No. 20051 of 2010 and that shall not be dismissed on the ground of the principles of res judicata.

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

(Birendra Prasad Verma, J)

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