

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.681 of 2014  
Arising out of  
Civil Writ Jurisdiction Case No. 9657 of 2013**

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Shri Goverdhan Prasad Choudhary @ Goverdhan Choudhary son of late Awadhesh Choudhary resident of Mohalla Babu Tola, May Niketan, P.O. AND P.S. Khalgaun Distt- Bhagalpur.

.... .... Appellant

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna
2. The Director (Industries), Government of Bihar, Patna
3. The Joint Director (Industries), Government of Bihar, Patna
4. The General Manager (District Industrial Centre), Madhubani, Bihar
5. The General Manager , District Industrial Centre, Nalanda (Bihar Sharif) Bihar

.... .... Respondents

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**Appearance:**

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA**

**and**

**HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)**

**Date: 22-09-2016**

The challenge in this Letters Patent Appeal is to an order dated 11.11.2013 passed by learned Single Bench of this Court, whereby the writ petition was dismissed as not maintainable in the light of the order Annexure-2.

Annexure-2 is an order passed on 01.08.2001 in the earlier writ petition filed by the petitioner, wherein the learned counsel for the State had made statement that all the grievances of the petitioner stand redressed. The writ petition was dismissed for

non-prosecution.

Once the writ petition filed by the petitioner has been dismissed for non-prosecution, the petitioner cannot file the second petition for the same cause of action, as was in the first writ petition.

In view thereof, we do not find any error in the order dated 11.11.2013 passed by the learned Single Bench, which may warrant interference of this Court in this appeal.

Accordingly, present Letters Patent Appeal is dismissed.

**(Hemant Gupta, J)**

**(Ahsanuddin Amanullah, J)**

Mishra/-

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