

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3496 of 2014

In

Civil Writ Jurisdiction Case No. 1084 of 2014

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Nita Devi, w/o Satya Narayan Yadav, resident of village - Ahra,
Kushumjori Gram Panchayat Chandan, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. District Magistrate, Banka, P.O. and P.S. Banka, District Banka
3. District Programme Officer, Banka, P.O. and P.S. Banka, Distt. Banka
4. Child Development Project Officer, Chandan, Banka, P.O. and P.S. Banka, District - Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Srivastava, Adv.
For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 07-09-2016 Heard the learned counsel for the petitioner.
However, none appears on behalf of the opposite parties, though
the name of the learned State counsel is printed in the daily cause
list.

The original writ petitioner has filed the present MJC
application seeking restoration of CWJC No.1084 of 2014, which
stood dismissed for want of prosecution by an order dated
11.08.2014.

The dispute relates with respect to the
engagement/termination on the post of Anganwari Sevika. The
aforesaid writ petition was filed way back on 13.01.2014 and since
then more than two and half years have already elapsed, but all the
subsequent developments, which might have taken place during
the interregnum period, have not been brought on record.

In above view of the matter, this Court is of the

opinion that, instead of restoring the aforesaid CWJC No. 1084 of 2014 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 within a period of two months from today with a certified copy of the present order, then the same shall be decided on its own merits, without being prejudiced/influenced by the order dated 11.08.2014, whereby CWJC No. 1084 of 2014 was dismissed for want of prosecution.

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

Arvind/-

(Birendra Prasad Verma, J)

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