

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1240 of 2016

In
Civil Writ Jurisdiction Case No. 15291 of 2004

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Smt.Ramdei Devi wife of Late Yamuna Prasad Sah, resident of village
Dhabdhabwa, P.O. & P.S. Adapur, District East Champaran Petitioner/s
Versus

1. The State of Bihar
2. Commissioner-cum-Secretary, Department of Home (Special),
Government of Bihar, Patna
3. Director-cum-Joint Secretary, Department of Home (Special),
Government of Bihar, Patna
4. Special Secretary, Department of Home (Special), Government of Bihar,
Patna
5. Deputy Secretary, Department of Home (Special), Government of Bihar,
Patna
6. Under Secretary, Department of Home (Special), Government of Bihar,
Patna
7. The Union of India through Secretary, Ministry of Home Affairs, Govt.
of India
8. Commissioner-cum-Secretary, Ministry of Home, Government of India
9. Deputy Secretary, Department of Home Affairs, Government of India
10. Under Secretary, Ministry of Home Affairs, Government of India
All having offices at Lok Nayak Bhawan, Khan Market, New Delhi
----- Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.
For the Opp. Party Nos. 1 to 6 : Mr. Ranjan Kumar, AC to GA-12
For the Opp.Party Nos.7 to 10 : Dr. Punam Kumari Singh, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 14-12-2016

Heard.

The present M.J.C. application has been filed for restoration of C.W.J.C. No. 15291 of 2004, which stood dismissed for want of prosecution by an order dated 31.7.2015.

The learned counsel appearing on behalf of the petitioner submits that the petitioner is a poor lady aged about 85 years and she is not in a position to engage her own counsel. It is further submitted that, in fact, she filed an application before the Patna High Court Legal Services Committee, as a result of which



he, being a panel counsel, has been entrusted with the brief of the writ petitioner. According to him, the petitioner is not in a position to bear the costs of fresh litigation.

The learned counsel appearing on behalf of the opposite parties do not raise any objection.

In above view of the matter, the prayer for restoration is allowed. C.W.J.C. No. 15291 of 2004 is directed to be restored to its original file.

Now, C.W.J.C. No. 15291 of 2004 shall be listed before an appropriate Bench, after obtaining necessary permission from Hon'ble the Chief Justice, as per roster, and shall no longer be treated as a part heard or tied up matter to this Bench.

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

(Birendra Prasad Verma, J)

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