

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4943 of 2013

In
Civil Writ Jurisdiction Case No. 8229 of 2008

=====

Namuna Devi, wife of Sri Ram Nagina Singh, resident of village-Amaon,
P.S.-Chainpur, District Kaimur (Bhabhua)

.... Petitioner/s

Versus

1.The State of Bihar
2. Additional Member, Board of Revenue, Bihar, Patna.
3. Additional Collector, Kaimur (Bhabhua)
4. Deputy Collector Land Reforms Bhabhua Kaimur.
5. Bajrang Bahadur Singh.
6. Tej Bahadur Singh, both sons of Kashi Singh, resident of village Amaon,
P.S.-Chainpur, District Kaimur (Bhabhua).
7. Birendra Seth, son of Deo Shankar Seth, resident of mohalla Bhabhua
Ward no.10, P.S.-Bhabhua, District Kaimur (Bhabhua).

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Sinha, Adv.
Mr.Binod Kumar Singh, Adv.
For the Opposite Party nos.1to4 : Mr. Rajesh Kumar, AC to GP-10

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 07-09-2016

Heard.

The original writ petitioner has filed the present MJC application seeking restoration of CWJC No.8229 of 2008, which stood dismissed for want of prosecution by an order dated 19.08.2013.

The aforesaid writ petition was filed way back on 19.05.2008 and since then more than 8 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. 8229 of 2008 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 three 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 19.08.2013, whereby CWJC No. 8229 of 2008 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)

U			
---	--	--	--