

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16540 of 2007

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Bhulotan Mahto son of late Sibu Mahto, resident of village and p.o. Sadanandpur, District Begusarai, ...

.... Petitioner

Versus

1. State of Bihar,
2. Secretary-cum-Commissioner, Water Resources Department, Bihar, Patna,
3. Joint Secretary, Water Resources Department, Government of Bihar,
4. Engineer-in-Chief, Water Resources Department, Government of Bihar,
5. Chief Engineer, Water Resources Division, Patna,
6. Superintending Engineer, Canal Circle, Patna,
7. Executive Engineer, Water Drainage and Irrigation Division, Patna,

.... Respondents

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Appearance :

For the Petitioner : Mr. Saroj Kumar Sharma, Advocate

For the State : AC to GP 13

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 04-02-2016 Admittedly, the sole petitioner has died during the pendency of the writ application but no application for substitution of the heirs and legal representatives of the deceased petitioner has been filed till date. As such, this application has become incompetent to proceed.

Accordingly, it is dismissed.

I.A. No. 7823 of 2010

The petitioner has filed this Interlocutory Application for being impleaded as the petitioner in this writ application because he has also similar grievance. In my view, he could have filed a separate writ application for the said purpose as the Patna High Court Rules, 1916 stipulates in clear terms that a person can be

impleaed only as a party respondent for the purpose of opposing the writ petition.

That apart, since the writ application has already been dismissed, this interlocutory application cannot be allowed. Accordingly, it is also dismissed.

(Dr. Ravi Ranjan, J)

SC/-

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