

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7481 of 2016

With
Interlocutory Application No.6407 of 2016

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Surya Kant Jha, Son of Late Laksheshwar Jha, Resident of village- Chacha,
P.O.- Chacha, P.s.- Rayam, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Department of Water Resources, Bihar, Patna
3. The Secretary cum Chairman, Department of Water Resources, Bihar, Patna
4. Bihar State Construction Corporation Limited through its Managing Director, Khwaja Imli, Anisabad, Patna
5. The Managing Director, Bihar State Construction Corporation Limited, Khwaja Imli, Anisabad, Patna
6. The Secretary, Administration, Bihar State Construction Corporation Limited, Office at Khwaja Imli, Anisabad, Patna
7. The Additional Secretary, Administration, Water Resources Department, Bihar, Patna
8. The Joint Secretary, (Management), Department of Water Resources, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary
For the Respondent/s : Mr. M.N.H. Khan, SC-1
Mrs.Babita Kumari, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 29-09-2016

The present writ petition was filed on behalf of the petitioner on 12.04.2016, which was duly registered on 26.04.2016. However, from the averments made in I.A.No.6407 of 2016, it is apparent that the sole petitioner died on 10.04.2016 i.e. two days prior to filing of the writ petition.

It is well settled that no lis can be brought on behalf of a dead person. As, admittedly, on 12.04.2016 the writ petitioner was dead, therefore, present writ petition could not have been filed by the learned counsel on that date.

In that view of the matter, the present writ petition as also I.A.No.6407 of 2016 stand dismissed.

However, the heirs and legal representatives of the deceased petitioner, who are named in I.A.No.6407 of 2016, shall be at liberty to approach the competent authority for redressal of their valid grievances or they may file a fresh writ petition in the same subject matter.

(Birendra Prasad Verma, J)

Arvind/-

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