

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2931 of 2014

In

Civil Writ Jurisdiction Case No. 2463 of 2014

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Manoj Singh son of late Shiv Yash Singh, resident of Village Babhanwalia,
P.O.- Dharampura, Police Station- Daudpur, District- Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Director, I.C.D.S., Social Welfare Department, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Saran division at Chapra.
4. The District Magistrate, Saran at Chapra.
5. The District Programme Officer, Saran at Chapra.
6. The Child Development Project officer, Manjhi, District- Saran.
7. The Ward Member, Gram Panchayat Raj Bareja, Block Manjhi, District- Saran.
8. The Mukhiya, Gram Panchayat Raj Bareja, Block- Manjhi, District- Saran.
9. Ramawati Kunwar wife of Prithwi Raj Singh, resident of Village Babhanwalia, P.O.- Dharampura, Police Station- Daudpur, District- Saran (Chapra)
10. Kumari Priyanka wife of Santraj Singh, resident of village- Bhabhanwalia, P.O. Dharampura, Police Station- Daudpur, District- Saran (Chapra.)
11. Ritu Kumari wife of Rohtash Roshan, resident of Village- Babhanwalia, P.O. Dharampura, Police Station- Daudpur, District - Saran (Chapra).
12. Kiran Kumari wife of Pankaj Kumar Singh, resident of Village Babhanwalia, P.O.- Dharampura, Police Station- Daudpur, District- Saran (Chapra)
13. Meera Singh wife of Ajay Singh, resident of Village- Babhanwalia, P.O. Dharampura, Police Station- Daudpur, District - Saran (Chapra).
14. Savi;ta Kumari wife of Rama Shankar Tiwari, resident of village Farusah Bareja, P.O. Bareja, Police Station Daudpur, District Saran (Chapra).
15. Bindu wife of Ishwarnath Pandey, resident of Village- Babhanwalia, P.O. Dharampura, Police Station- Daudpur, District - Saran (Chapra)
16. Sabita Kumari wife of Alok Kumar Pandey, resident of Village- Babhanwalia, P.O. Dharampura, Police Station- Daudpur, District - Saran (Chapra)
17. Seema Devi wife of Rajesh Sah, resident of Village- Babhanwalia, P.O. Dharampura, Police Station- Daudpur, District - Saran (Chapra)
18. Nitu Devi wife of Rajesh Kumar Singh, resident of Village- Babhanwalia, P.O. Dharampura, Police Station- Daudpur, District - Saran (Chapra)

.... Opposite Parties/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Opp.Party Nos. 1 to 8 : Mrs. Nutan Shama, AC to GA 9

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 30-03-2016

Heard the parties.

The present MJC application has been filed on behalf of the petitioner seeking restoration of CWJC No. 2463 of 2014 which stood dismissed for want of prosecution by order dated 16.06.2014.

In view of the nature of claims raised on behalf of the petitioner and the issues involved therein, this Court is of the opinion that instead of restoring the aforesaid CWJC No. 2463 of 2014 to its original file, the interest of justice shall be subserved 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 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 considered and decided on its own merits without being prejudiced/influenced by the order dated 16.06.2014 passed in CWJC No. 2463 of 2014 and that writ petition shall not be dismissed on the ground of res judicata.

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

(Birendra Prasad Verma, J)

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