

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.528 of 1989

- =====
1. The State of Bihar through the Commissioner and Secretary to the Government of Bihar, Rural Reconstruction and Panchayati Raj Department, Patna.
 2. The Commissioner and Secretary to the Government, Road Construction Department, Patna.
 3. The Chief Engineer, Rural Engineering Organization No.1 (North) Patna Secretary, Hutment, Patna

.... Respondents-Appellants- Petitioner/s
Versus

1. Binodanand Ojha, son of Sri Sudama Ojha, resident at A/7 Road No. High Court Water Tower Quarter, P.S. Kotwali, District-Patna.
2. Surendra Prasad Ambastha, son of late Rajendra Prasad, residing at Road No.39, P.S. Gardanibagh, District-Patna.
3. Krishna Murari Sinha, son of late Shital Prasad, resident of Mohalla-Kadamkuan, P.S. Kadamkuan, Town and District-Patna.
(petitioner-Respondent 1st Set). Opp. Party 1st Set.
4. Jugal Kishore Srivastava, father's name not known to the petitioners, Secretary (non technical) to the Chief Engineer Rural Engineering Organization, Department of Rural Reconstruction and Panchayat Raj, Patna Secretariat, Patna.
5. Raghupati Singh, Additional Registrar, Department of Rural Reconstruction and Panchayati Raj, Patna Secretariat, Patna.
6. Baij Nath Pathak, Registrar, Rural Engineering Organization, Old Secretariat Hutment, Town and District-Patna.
7. Kamal Nayan Prasad Sharma, father's name not known to the petitioner.
8. Sachidanand Sinha, father's name not known to the petitioner.
9. Shashi Prasad, father's name not known to the petitioner.
10. Bhoodeo Ojha, father's name not known to the petitioner.
11. Birendra Kumar Sinha, father's name not known to the petitioner.
12. Ram Chandra Prasad Srivastava, father's name not known to the petitioner.
13. Bhagat Singh, father's name not known to the petitioner.
14. Sukhdeo Prasad, father's name not known to the petitioner.
15. Janardan Sharma, father's name not known to the petitioner.
16. Naresh Kumar, father's name not known to the petitioner.
17. Narendra Nath Verma, father's name not known to the petitioner.
18. Ranjit Sahay Jamuar, father's name not known to the petitioner.
19. Nripendra Kumar Lal, father's name not known to the petitioner.
20. Krishna Prasad, father's name not known to the petitioner.

Serial Nos. 7 Registrar c/o Commissioner and Secretary to Govt. Road Construction Department and Serial Nos. 8 to 20 All Section Officers, C/o Commissioner and Secretary to Government, Road Construction Department, Patna. ...

(Respondents... Respondents 2nd Set.) Opposite Parties.

=====

Appearance :

For the Petitioner/s :

For the Respondent/s :



=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER
(Per: **HONOURABLE THE CHIEF JUSTICE**)

2 28-07-2017 This application had been filed in the year 1989 on account of the fact that Letters Patent Appeal No.117 of 1988 has been dismissed for want of prosecution on 09.08.1988. It was filed on 01.08.1989 and is listed today for the first time. Office note dated 26.07.2017 goes to show that Letters Patent Appeal No.117 of 1988 was never dismissed for want of prosecution, but it has been dismissed on merit on 09.03.1995 along with analogous Letters Patent Appeal No.106 of 1988.

Keeping in view the office note dated 26.07.2017; no restoration can be permitted as Letters Patent Appeal No.117 of 1988 has been dismissed on merit on 09.03.1995.

In view of the above, this application is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

U			
---	--	--	--

