

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2094 of 2016

In

Civil Writ Jurisdiction Case No. 13900 of 2011

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Ravindra Nath Sinha S/o Late Narsing Singh, R/o village Andari, P.O. and P.S. Jaityer, Gaurigchak, Distrcit- Patna at present residing at Mohalla Makhtar Toli, chudi Market P.s.- Kadamkuan, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar, through the Secretary, Govt. of Bihar, Patna.
2. State Bank of India, Masaurhi Branch, Patna.
3. The mission Director, State Garden Development Mission, Patna.
4. The District Magistrate, Patna.
5. The NABARD(The National Bank of Agriculture and Rural Develpment) through its Chairman, having its office at 'B' Block, Maurya Lok Complex, Dak Banglow Road, Patna through its Chief General Manager.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Uday Kumar, Advocate
Mr. Sanjay Kumar, Advocate
For Resp. No. 2 : Mr. Satya Prakash Tripathy, Advocate
For the State : Mr. Sarvesh Kumar Singh- AAG13
Mr. Ravi Kumar, AC to AAG-13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-06-2017 Having heard learned counsels for the parties, we are of the considered view that after proper parties like the Union of India or the National Horticulture Board were not impleaded as parties, it is natural justice that liberty should have been granted to the petitioner to implead them as party and thereafter proceed to decide the matter on merit and not on technical ground of non-



impleading the parties.

Keeping in view the aforesaid fact, the appeal is allowed the order dated 28.09.2016 passed in CWJC No. 13900 of 2011 is set aside. The writ petition is restored to its original file.

The appellant is directed to file an interlocutory application within ten days from today making a prayer in the same for impleading the Union of India and the National Horticulture Board as party respondents and the matter be placed for consideration before the appropriate Bench.

The appeal stands disposed of.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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