

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.874 of 2014  
IN  
Civil Writ Jurisdiction Case No. 2355 of 2014**

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1. Dasrath Prasad Yadav son of Late Rambalak Yadav @ Ram Balak Rai resident of village - Dhanauti, P.O. Parsagarh, P.S. Ekma, District - Saran

.... .... Appellant/s

Versus

1. The State of Bihar through the Additional Member Board of Revenue, Patna

2. (i) Sachidanand Dwivedi

(ii) Diwakar Dwivedi Both sons of late Sudhakar Dwivedi

(iii) Rama Devi

(iv) Geeta Devi

(v) Sindhu Devi Daughters of late Sudhakar Devi

All residents of village - Dhanauti, P.O. Parsagarh, P.S. Ekma, District - Saran

3. (i) Bipin Dwivedi

(ii) S.Kumar Dwivedi Both sons of Late Kashinath Dwivedi both residents of village - Dhanauti, P.O. Parsagarh, P.S. Ekma, District - Saran

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Ms Vagisha Pragya V.  
Mr. Ramadhar Shekhar

For the State : Mr. Shankar Kumar, AC to AAG 7

For the Pvt. Respondents : Mr Jai Shankar Pathak

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

**Date: 02-08-2017**

Heard counsel for the appellant, counsel for the private respondents and the State.

The order dated 03.03.2014 speaks for itself. If a litigant has some kind of a game plan to keep getting the revision application dismissed and then restored, which has happened three times over and if the appellant also chooses not to substitute dead respondent and



opposite party within the time frame indicated then obviously the hue and cry, which is being raised on behalf of the appellant by the counsel, the bona fide of which is not established from the fact what they are. It is a fit case where no interference is required to be made with the order of the learned Single Judge. It is not only about interest of the litigant but also the interest of the system keeping in mind the conduct of such litigant.

The appeal has no merit. It is dismissed.

**(Ajay Kumar Tripathi, J)**

**(Rajeev Ranjan Prasad, J)**

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