

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No 402 of 2020

In
Civil Writ Jurisdiction Case No.2938 of 2016

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Ram Umesh Yadav @ Ram Udesh Yadav S/o Upendra Narayan Yadav
Resident of Village-Mangura, P.O.-Dunbad, Police Station-Ghanshyampur,
District-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, (Old Secretariat), Patna.
3. The Principal Secretary, Education Department, Government of Bihar, (Vikash Bhawan), Patna.
4. The Director, Primary Education Department, Government of Bihar, (Vikas Bhawan), Patna.
5. The Director, Mass Education, Education Department, (Vikash Bhawan), Government of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar, Advocate
For the Opposite Party/s : Mr Ashutosh Ranjan Pandey, AAG XV

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 09-09-2020 This case has been taken up for consideration through
Video Conferencing.

Heard Mr Sanjay Kumar, learned counsel for the
petitioner and Mr Ashutosh Ranjan Pandey, AAG XV appearing
for the respondent-State.

The instant petitioner was petitioner No 167 in the
writ proceedings wherein he has signed the vakalatnama as Ram
Umesh Yadav. It is this name which appeared in the cause title
of the writ proceedings also.



This modification application has been filed by a counsel who was not representing the petitioner in the writ proceedings. He submits that an error of inadvertence has crept into the order dated 28.03.2019 disposing of the writ proceedings. It is submitted that instead of Ram Udesb Yadav, petitioner's name has wrongly been typed as Ram Umesh Yadav. This position, however, is not corroborated either from the vakalatnama or from the cause title of the writ proceedings. In these circumstances, petitioner's counsel submits that in fact, petitioner had committed an inadvertence since Ram Umesh Yadav is an alias of his original name Ram Udesb Yadav. In view of such circumstances, he prays that he may be given liberty to take benefit of the order dated 28.03.2019 passed in CWJC No 2938 of 2016 describing himself by the name of Ram Umesh Yadav @ Ram Udesb Yadav.

Mr Ashutosh Ranjan Pandey, AAG XV appearing for the State submits that he has no objection to such liberty being availed by the petitioner, but the respondent-State would also be at liberty to verify this fact while considering the petitioner's claim in terms of order passed by the Writ Court.

According to the aforesaid stand of the petitioner and respondent-State and with liberty, as prayed for by the parties



aforesaid, this application stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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