

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No 769 of 2020

In
Civil Writ Jurisdiction Case No 7874 of 2016

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Md Firoz Alam S/o Md Wasil Resident of Village- Gajwi, P.O.- Shankarpur,
P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna.
4. The Director, Mass Education, Education Department, Government of Bihar, Patna.
5. The District Education Officer, Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Deepak Kumar, Advocate
For the Opposite Party/s : Ms Shilpa Singh, GA XII
Ms Abhanjalli, AC to GA XII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 16-10-2020 This case has been taken up for consideration through
Video Conferencing.

Heard Mr Deepak Kumar, learned counsel for the
petitioner and Ms Shilpa Singh, GA XII appearing for the
respondent-State.

The instant petitioner is petitioner No 32 in the writ
proceedings wherein he has signed the vakalatnama as Md Firoj
Mian. 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 in the cause title of the writ proceedings. It is submitted that instead of *Md Firoz Alam*, petitioner's name has wrongly been typed as *Md Firoj Mian*. His father's name has also wrongly been mentioned as *Md Washir Mian* in place of *Md Wasil*.

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 has committed an error of inadvertence since *Md Firoj Mian* is an alias of his original name *Md Firoz Alam*. His father's name is also *Md Washir Mian @ Md Wasil*.

In view of such circumstances, petitioner is allowed to file *vakalatnama* afresh along with photo ID adding his alias name and also adding his father's alias name. As prayed, for correction in the cause title of *CWJC No 7874 of 2016* describing himself by the name of *Md Firoj Mian @ Md Firoz Alam*, son of *Md Washir Mian @ Md Wasil* may be carried out by the office thereafter.

Ms Shilpa Singh, GA XII appearing for the State



submits that she has no objection to such liberty being availed by the petitioner, but the respondent-State would also be at liberty to verify this fact.

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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