

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No 770 of 2020

In
Civil Writ Jurisdiction Case No 23443 of 2011

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Indra Kala Devi, W/o Murlidhar Mishra, resident of village - Parwaha, P.S.-0
Forbisganj District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner - cum- Secretary, Education Department, 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 : Mr Ashutosh Ranjan Pandey, AAG XV
Mr Shashi Shekhar Tiwary, AC to AAG XV

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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 Mr Ashutosh Ranjan Pandey, AAG XV appearing
for the respondent-State.

The instant petitioner is petitioner No 89 in the writ
proceedings wherein she has signed the vakalatnama as *Indra
Kala Jha*. 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 *Indra Kala Devi*, petitioner's name has wrongly been typed as *Indra Kala Jha*. Her husband's name has also wrongly been mentioned as *Murlidhar Jha* in place of *Murlidhar Mishra*.

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 *Indra Kala Jha* is an alias of her original name *Indra Kala Devi*. Her husband's name is also *Murlidhar Jha @ Murlidhar Mishra*.

In view of such circumstances, petitioner is allowed to file *vakalatnama* afresh along with photo ID adding her alias name and also adding her husband's alias name within four weeks from today. As prayed, for correction in the cause title of *CWJC No 23443 of 2011* describing herself by the name of *Indra Kala Jha @ Indra Kala Devi*, wife of *Murlidhar Jha @ Murlidhar Mishra* may be carried out by the office thereafter.



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.

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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