

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1828 of 2023

In

Civil Writ Jurisdiction Case No.2269 of 2020

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1. Chandrabali Ram, Son of Raghu Ram Resident of Devi Sthan, Adarshnagar, Aurangabad, Post Office- Aurangabad, P.S. Aurangabad Town, District- Aurangabad (Bihar).
 2. Kameshwar Singh, Son of Bhola Singh resident of Mohalla Hanumannagar, Ahri, Aurangabad, Post Office - Aurangabad, P.S. Aurangabad Town, District- Aurangabad.
 3. Ashok Kumar Singh, Son of Late Chandradeo Singh resident of Village Moglani Karma, P.O. Belaiyu, (Belaian) P.S. Nabinagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Rural Development Department to the Government of Bihar, New Secretariat, Bailey Road, Patna.
2. The District Magistrate cum Chairman, District Rural Development Agency, Aurangabad, Post Office- Aurangabad, P.S. Aurangabad Town, District- Aurangabad.
3. The Deputy Development Commissioner-cum- Secretary, District Rural Development Agency, Aurangabad, Post Office- Aurangabad, P.S. Aurangabad Town, District- Aurangabad.
4. The Managing Director, District Rural Development Agency, Aurangabad, Post Office- Aurangabad, P.S. Aurangabad Town, District- Aurangabad.
5. The Accountant General Bihar, Patna, Bir Chand Patel Path, Patna- 800001.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Pathak, Advocate
For the State	:	Mr. Sanjay Kumar, AC to GP-7
For the A.G.	:	Ms. Ritika Rani, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-09-2023

Heard Mr. Umesh Pathak, learned counsel appearing



on behalf of the petitioners; Mr. Sanjay Kumar, learned AC to learned GP-7 appearing on behalf of the State and Ms. Ritika Rani, learned counsel for the Accountant General, Bihar.

2. Learned counsel appearing on behalf of the petitioners submitted that petitioners are alive, however, in the order dated 23.06.2023 passed in CWJC No.2269 of 2020, it has been incorrectly typed 'deceased employee' at several places.

3. Considering the specific submission made on behalf of the petitioners as well as on verification of the writ petition it appears that in paragraphs no. 11, 12 and 13, specific statement has been made that petitioners no. 1, 2 and 3 had superannuated from their respective services and handed over their charge to the authorities concerned. No denial has been made in the counter affidavit to that effect and it has been admitted that petitioners have not died till the date counter affidavit as well as the order was passed.

4. Considering the typographical mistake made in several paragraphs, the order dated 23.06.2023 has been passed in context of the petitioners of CWJC No. 2269 of 2020 and the petitioners have filed the present modification application. Accordingly, in place of 'deceased employee' the same is substituted by petitioners.



5. Other part of the order shall remain intact.

6. Accordingly, the present modification application is
allowed.

(Purnendu Singh, J)

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