

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2856 of 2017

In
Civil Writ Jurisdiction Case No.11473 of 2014

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1. Union of India through the General Manager, E. C. Railway, Hazipur.
 2. The General Manager, Zonal Office, Hajipur, Bihar.
 3. The Divisional Manager Rlys, Divisional Office, ECR, Danapur, Patna, Bihar.

... .. Petitioners.

Versus

1. Sundari Devi.
2. Chandra Prakash Chaudhary.
3. Sunil Kumar Chaudhary (both sons of Kamleshwar Chaudhary (since deleted), Vill-Bela, P.O. Siklai, Makhdumpur, Jehanabad.

... .. Opposite Parties.

Appearance :

For the Petitioners : Mr. Deepak Kumar, Senior Panel Counsel.
Mr. Arvind Kumar, C.G.C.

For the Opposite Parties :

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 13-03-2024 Heard the present M.J.C. No.2856 of 2017.

2. The present M.J.C. No.2856 of 2017 is filed for recalling the order dated 21.11.2016 passed in C.W.J.C. No.11473 of 2014. During the pendency of C.W.J.C. No.11473 of 2014, respondent Kamleshwar Chaudhary is stated to have died on 04.05.2011. Consequently, the petitioners-the Union of India have filed I.A. No.8859 of 2016 for substitution. However, notice was issued to newly added respondents in admission matter, both under ordinary process and registered



cover with acknowledgment due. The requisites must be filed within a week, failing which the writ petition shall stand rejected without further reference to a Bench. The petitioners- the Union of India failed to comply the aforementioned order passed in I.A. No.8859 of 2016 read with C.W.J.C. No.11473 of 2014.

3. For the reasons stated in the application and affidavit, the present M.J.C. No.2856 of 2017 stands allowed subject to payment of cost of Rs.5000/-. Cost shall be paid to the wife of Kamleshwar Chaudhary within a period of four weeks from today.

4. Accordingly, C.W.J.C. No.11473 of 2014 stands restored to its original file and number while recalling the order dated 21.11.2016 passed in I.A. No.8859 of 2016.

5. Registry is hereby directed to put up C.W.J.C. No.11473 of 2014 before the concerned Bench.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-

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