

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.312 of 2024

In

Civil Writ Jurisdiction Case No.1194 of 2020

Rinku Kumari Wife of Ashok Paswan, Resident of Village - Narghoghi, Ward No. 3, within Gram Panchayatiraj Narghoghi, Block and Police Station - Sarairanjan, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department Bihar, Patna.
2. The Integrated Child Development Services Bihar (ICDS, Bihar) through its Director, Indira Bhawan, Patna.
3. The District Magistrate, Samastipur.
4. The District Programme Officer, Samastipur.
5. The Child Development Project Officer, Block - Sarairanjan, District - Samastipur.
6. The Selection Committee, Gram Panchayati Raj Narghoghi, Block - Sarairanja, District - Samastipur.
7. The Arti Kumari, Wife of Ashok Kumar Das, Resident of Narghoghi, Block - Sarairanjan, District - Samastipur.
8. The Divisional Commissioner, Darbhanga Division Darbhanga (It has been wrongly stated as Tirhut Division Muzaffarpur in the main writ petition as well as in the order under Modification).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar, Advocate
For the Opposite Party/s : Mr.Kumari Amrita (GP3)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 03-04-2024 Learned counsel for the petitioner and learned counsel for the State are present.

2. Learned counsel for the petitioner submits that the present application has been filed for modification of the order dated 13.10.2023 passed in CWJC No. 1194 of 2020. Counsel



further submits that in the cause title of CWJC No. 1194 of 2020, the detail of respondent no.8 has wrongly been mentioned as 'the Divisional Commissioner, Tirhut Division, Muzaffarpur' in place of 'the Divisional Commissioner, Darbhanga Division', Darbhanga' and due to the wrong entry of the details of respondent No.8 made in the writ petition, the same defect crept up in the order dated 13.10.2023 passed by this Hon'ble Court in CWJC No. 1194 of 2020. Hence, he seeks permission to correct the party position in the writ petition and prayed that accordingly modification be made in the order dated 13.10.2023.

3. Since the copy of the writ petition is attached with the MJC so the petitioner is directed to correct the same in course of the day.

4. Learned counsel for the petitioner submits that necessary correction has been made by him in the writ petition during course of the day. He further submits that the grievance of the petitioner can be settled only before the Divisional Commissioner Darbhanga Division, Darbhanga which has been typed in the writ petition as 'Divisional Commissioner Tirhut Division, Muzaffarpur' due to mistake of counsel itself which may be rectified.



5. Learned counsel for the State has no objection for the same and submits that the correct forum for the petitioner is the Divisional Commissioner, Darbhanga Division, Darbhanga only.

6. In this view of the matter, let the order dated 13.10.2023 passed in CWJC No. 1194 of 2020 is hereby modified to the extent that all the places where Divisional Commissioner, Tirhut Division, Muzaffarpur has been typed, shall be read as 'Divisional Commissioner, Darbhanga Division, Darbhanga'. It shall be treated as part and parcel of the order dated 13.10.2023.

7. Accordingly, the M.J.C. application stands disposed off.

(Dr. Anshuman, J)

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