

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20608 of 2021

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Akash Singh Sonof Vijay Bahadur Resident of Village - Gola Muhalla, P.s. -
Ara Nagar Dist- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Urban Development Vikash Bhawan Patna.
2. The Municipal Commissioner, Ara Nagar Nigam, Old Police Line Bhojpur at Ara.
3. The D.M. Bhojpur, Ara.
4. The Dy. Municipal Commissioner Bhojpur at Ara, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Respondent/s : Mr. Abbas Haider, SC 6

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

9 10-02-2025 In the instant writ petition, petitioner has prayed for
the following relief :

*“That the present writ petition is
being filed for Modification of order dt
15.11.2021 passed in C.W.J.C. No.-
9615/2020 by Hon’ble Mr. Justice
Chakradhari Sharan Singh & Hon’ble Mr.
Justice Madhuresh Prasad the said order has
been passed stating there in the writ petition
has infructuous because the time of the said
tender has been lapse but the amount which
has been deposited by the petitioner for*



tender that is admitted fact as per annexure-1 that should be return with interest that has not been mention in the order and only such thing may be mentioned in the order and only for this grievance the present petition has been filed to modify the order.

As per the above fact Your Lordship may pass appropriate order and direction may be given to the Authority concerned to pass appropriate order regarding payment of surety money which has been deposited by the petitioner of Rs. 11,91,600/- (Eleven lacks ninety one thousand six hundred). To the petitioner”

2. Question of modification of the order dated 15.11.2021 passed in CWJC No. 9615 of 2020 by a Co-ordinate Bench is impermissible for the reasons that MJC application for modification is required to be filed in the event of any typographical error. If there is error of fact in the order, in that event, petitioner has a remedy of filing civil review petition insofar as recalling the order dated 15.11.2021 or in the alternative, he has to approach the Hon’ble Supreme Court. On the other hand, he has filed fresh CWJC No. 20608 of 2021, which is not maintainable insofar as interfering with the order of the Co-ordinate Bench dated 15.11.2021 passed in CWJC No. 9615 of 2020.



3. Accordingly, present writ petition stands disposed of as not maintainable reserving liberty to invoke appropriate remedy and in accordance with law.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

GAURAV S./-

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