

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1834 of 2011

Union of India & Ors

.... Petitioner/s

Versus

Kumari Madhu

.... Respondent/s

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
and
HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

2 28-04-2015

As prayed for by learned Assistant Solicitor General,

the restoration application is dismissed as not maintainable with liberty to file a restoration application for restoration of M.J.C. No.1250 of 2003.

This Court also notices that in paragraph No.2 of the present application, it is stated that the petitioners have not moved before this Court earlier in the matter, whereas the office has pointed out that for restoration of C.W.J.C. No.10413 of 1999, the aforesaid M.J.C. No.1250 of 2003 has been filed. The same amounts to making false statement on affidavit.

Learned Assistant Solicitor General submits that the wrong statement may not be deliberate, as the panel of the Central Government Counsels as also the officer concerned keep changing and it may not have been within the knowledge of the counsel or the officer concerned that earlier another restoration application

has been filed; the same is possible but before filing any application after nearly eight years learned counsel, from whose office it has been filed, was required to have inspected the High Court files so as to avoid any false statement on affidavit, which may entail lodging of criminal case against the person concerned.



(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Anjana Prakash, J)

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