

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3740 of 2014

In

LPA 1392 of 1999

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The State of Bihar & Ors

.... Petitioners

Versus

Ramesh Prasad & Ors.

.... Opposite parties

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA**

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

3 04-08-2015

Heard learned counsel for the petitioners.

It is submitted by learned counsel for the petitioners that the order dated 11.08.2009 could not be complied with during peremptory time granted. Hence, the appeal as against respondent nos. 1, 2, 4 and 5 was dismissed on 08.09.2009 and ultimately requisites have been filed on 18.09.2014.

It is submitted by learned counsel for the petitioners that since the respondent nos. 1, 2, 4 and 5 against whom notices were directed to be issued, are living in different places, so their present address could not be made available. Hence, filing of requisites of notices upon them could not be complied with within time.

On a consideration of the facts and circumstances of the case, L.P.A. No. 1392 of 1999 is directed to be restored to its original file with respect to respondent nos. 1, 2, 4 and 5.

The restoration application is, accordingly, allowed.

The office is directed to issue notices on the basis of
requisites filed subsequently.

(Ramesh Kumar Datta, J)

(Sudhir Singh, J)

Singh/U.K./-

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