

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4435 of 2013

In
Civil Writ Jurisdiction Case No. 3403 of 2004

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1. Ram Prasad Singh
2. Balram Singh Both are sons of late Raghunandan Singh Both are resident of village- Ramghat Koskapur, P.S.- Narpatganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Araria.
3. The Land Reforms Deputy Collector, Forbesganj, (Araria).
4. Yugal Kishore Prasad, son of Late Yamuna Pd. Sah.
5. Nand Kishore Sah son of Late Yamuna Pd. Sah. Both nos. 4 and 5 are resident of village- Khabdah, P.O.- Kanheli, P.S.- Narpatganj, District- Araria.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 07-10-2015 Heard learned counsel for the petitioners.

No one appears on behalf of the State.

The application seeks restoration of CWJC No. 3403 of 2004 which stood dismissed for non prosecution vide order dated 06.07.2012. The restoration application has been filed after a year without satisfactorily explaining he delay.

Considering the statements made in the application and submissions made in support thereof, this Court is not satisfied that a case for restoration is made out. The petitioners claim to be Bataidars of the private respondents and have assailed the order dated 06.10.2003 passed by the Deputy Collector, Land Reforms,

Forbesganj, Araria. The restoration application is accordingly dismissed.

Dismissal of this application shall not preclude the petitioners from filing a fresh writ application if the cause/issue survives.

(Kishore Kumar Mandal, J)

HR/-

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