

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1637 of 2016

In

Civil Writ Jurisdiction Case No.16717 of 2014

=====

Mani Harizan, son of late Garbhu Harizan, resident of village-Madarganj,
P.O.-Ekchari, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. District Magistrate, Bhagalpur.
3. District Treasury Officer, Bhagalpur.
4. The Branch Manager, Main Branch, UCO Bank, Variety Chowk, Bhagalpur.
5. The Branch Manager, UCO Bank Branch, Ekchari, District-Bhagalpur.
6. The Accountant General, office of the Accountant General (A&E), Bihar, Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhirendra Nath Jha, Adv.

For the Opposite Party nos.1to3 : Mr. Apurva Kumar, AC to GA-4

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

3 21-12-2016 Heard the learned counsel appearing on behalf of the petitioner as also the learned State counsel appearing on behalf of the opposite party nos.1 to 3.

The present MJC application has been filed on behalf of the writ-petitioner seeking restoration of CWJC No.16717 of 2014, which stood dismissed, as against the respondent nos.4 and 5, on account of non-compliance of the Court's peremptory order dated 30.01.2016.

The learned counsel appearing on behalf of the petitioner submits that, due to certain confusion, he could not comply the order within the time prescribed by this Court. However, the aforesaid order has been complied with belatedly on 17.02.2016. He further submits that the delay occurred in compliance of the order was not intentional, rather it occurred on



account of bonafide mistake.

Taking into consideration the submissions made by the learned counsel appearing on behalf of the petitioner as also the averments made in the present MJC application, the prayer for restoration is allowed. CWJC No.16717 of 2014 is directed to be restored, as against the respondent nos.4 and 5 to its original file, subject to verification of the compliance of the order dated 30.01.2016, though belatedly, on 17.02.2016.

The present MJC application stands allowed to the extent indicated above.

(Birendra Prasad Verma, J)

Arvind/-

U			
---	--	--	--

