

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11272 of 2013

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Brijkishore Bhagat S/O Late Sitaram Bhagat Resident Of Mohalla - Bada
Telpa Mathia, P.O. + P.S. - Chhapra, District - Saran At Chapra
.... Petitioner

Versus

1. Hashnain Ali S/O Bhagelu Mia (Marhum) Resident of Mohalla - Bada
Telpa Mathia, P.O. + P.S. - Chhapra, District - Saran at Chapra
2. Sheshnath Prasad S/O Late Durga Prasad Resident of Village - Amnour,
P.O. + P.S. - Amnour, District - Saran at Chapra

Respondents

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioner as well as learned
counsel for the respondents.

Gone through the order impugned dated 04.04.2013
passed by the learned Munsif 1st Saran at Chhapra in Misc. Case
No. 2 of 2012. The petitioner who happens to be the applicant
before the learned lower court, in spite of having given sufficient
opportunity even two occasions after closing the case, failed to
avail the same side by side also failed to pay the cost.

However, in the interest of justice, one more opportunity
is given to the petitioner at the cost of Rs.10,000/- (Ten thousand)
which should be deposited within seven days and further, having
the case re-open, evidence be concluded within seven days, failing
which the privilege so granted therein in favour of the petitioner
will cease to survive.

With the aforesaid condition, the petition is disposed of.

m.pal

(Aditya Kumar Trivedi, J)

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