

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7696 of 2015

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Ashok Kumar Chopra

.... Petitioner/s

Versus

Smt. Babita Chopra & Anr

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Shanker Modi

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 07-04-2016

Heard, learned Senior counsel, Mr. T.N. Maitin,
appearing for the petitioner and learned counsel, Mr. G.
Chatterjee, appearing for the respondents.

2. It appears that by the judgment dated 13.02.2015
while allowing the M.A. No. 199 of 2002, this Court directed the
petitioner to pay cost of Rs. 25,000/- and out of that 50 per cent is
to be deposited in Legal Services Authority, Nalanda at
Biharshariff and rest shall be paid to the plaintiff-respondent
within one month from the date of receipt of the judgment.

3. The only grievance of the petitioner is that although
he has deposited Rs.12,500/- in the District Legal Services
Authority but the court below refused to allow the petitioner to
deposit Rs.12,500/- cost to be paid to the respondents on the
ground that the time has already been lapsed.

4. In view of the above facts and circumstances, the

order directing the petitioner to pay Rs.12,500/- to the respondent within one month is extended to further two weeks from today. The petitioner is directed to deposit the amount within two weeks from the date of receipt of a copy of this order or production of certified copy of this order before the court below in the Nazareth through challan and if that amount is deposited, the respondents are at liberty to withdraw the same. If this condition is not complied with, the court below shall treat the order passed in the miscellaneous appeal as recalled. Thus, this writ application is allowed with the aforesaid observation and direction.

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(Mungeshwar Sahoo, J.)