

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.613 of 2014

IN

C. REV. No. 141 of 2009

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Bipin Kumar Singh, Son of Late Nawal Kishore Sharma, Resident of Village -
Nima, P.S. Dhanarua, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Inspector General of Police, Bihar, Patna
3. The Deputy Inspector General of Police, Best Zone, Bhagalpur
4. The Superintendent of Police, Bhagalpur
5. The Deputy Superintendent of Police, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 16-08-2016

The petitioner's writ application having been dismissed he had preferred a letters patent appeal. The letters patent appeal was also dismissed. He then filed civil review application being Civil Review No. 141 of 2009 on 18.05.2009. When the review application was listed for admission no one appeared on 08.12.2010, and noticing that earlier also on 13.08.2010 no one had appeared on behalf of the petitioner, review application was dismissed. After over three years, on 06.02.2014 an application for restoration of review application being M.J.C. No. 613 of 2014 was filed and in that the

only reason given was that the petitioner was unaware that his case has been listed and dismissed. There is no averment as to why having filed review application he never made any further enquiries. Thereafter, on office pointing out that there was no application for condonation of delay, in spite of the fact that the delay in filing restoration application was of over three years, on or about 02.09.2015, I.A. No. 7322 of 2015 has been filed for condonation of delay in filing the restoration application for restoring civil review application and again a story is spun as to how the person, who was to take care of the case, did not bother.

We are not satisfied with the bona fide of the applicant. We find no reason to condone the delay. Condonation application i.e. I.A. No. 7322 of 2015 is dismissed. Consequently, the restoration application also stands dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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