

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13488 of 2013

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Sri Ram Kurmi @ Sri Ram Chaudhary S/o Late Ayodhya Kurmi Resident
Of Village- Simari (Halbapatti), P.S- Simari, District- Buxar.

.... Petitioner/s

Versus

1. The State Bihar Through Collector, Buxar.
2. The Collector, Buxar, Bihar.
3. The Deputy Collector Land Reform, Dumraon.
4. The Circle Officer, Simari, Buxar
5. Gauri Shankar Sah S/o Late Lal Mohan Sah Resident of Village- Simari
(Bajar), P.S- Simari, District- Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma

For the Respondent/s : Mr. Ravi Kumar, AC to GP 13

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner and
respondents.

This application is filed under Article 227 of the
Constitution of India against the order dated 18.05.2013 passed
in Misc. Case No. 01 of 2012, whereby the learned Additional
Munsif-II, Buxar dismissed the Misc. Case No. 01 of 2010,
which was filed for restoration of Title Suit No. 39 of 2003.

On perusal of the impugned order, it appears that
the Miscellaneous Case No. 01 of 2010 was filed for restoration
of Title Suit No. 39 of 2003, but the same was dismissed for
default on 08.04.201. Thereafter, Misc. Case No. 01 of 2012

was filed on 10.02.2011, which is dismissed through impugned order due to filing of same after much delay beyond the limitation period without any explanation of delay. As such, I find no illegality in the impugned order amounting to abuse of process of Court for interference in extraordinary jurisdiction, accordingly, this application is dismissed.

(Rajendra Kumar Mishra, J)

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