

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4803 of 2014

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Kailash Prasad & Anr

.... Petitioner/s

Versus

Mirza Anwar Beg & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 15-11-2016 Heard the learned counsel for the petitioner and the learned
counsel for the opposite party.

This MJC application has been filed for modification of the
order dated 21.01.2016.

The learned counsel for the petitioner submitted that while
dismissing the writ application, this Court observed that ‘the lower
Court wrongly allowed to reconstruct the lower Court record.’

On the other hand, the learned counsel for the opposite party
objected the prayer for the modification.

Perused the order dated 21.01.2016 passed in C.W.J.C.
No.4803 of 2014. In fact the writ application was filed by the
opposite party of this MJC application against the order dated
14.03.2013 whereby the learned Court below has allowed
reconstruction of the document filed by the defendant No.6. This
Court dismissed the writ application holding that the Court below

has only directed to reconstruct the record as the documents have already been destroyed by white ant. However while observing this ‘wrongly’ has been typed by mistake. Therefore, since it is typing mistake, the word ‘wrongly’ occurring in second line of second paragraph in the order dated 21.01.2016 is deleted. The order shall be read as “By the impugned order dated 14.03.2013, the Court below has allowed to reconstruct the lower Court record because”.

Thus, this order dated 21.01.2016 is corrected to that effect.
The MJC application stands allowed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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