

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2361 of 2016

In
Civil Writ Jurisdiction Case No. 977 of 2015

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Khalil Shah & Ors.

.... Petitioner/s

Versus

Raso Sah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dronacharya

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 04-08-2016 Heard learned counsel Mr. Dronacharya for the
petitioners.

This application has been filed for modification of order
dated 21.04.2016.

Learned counsel for the petitioners submitted that the
petitioners were directed to pay Rs.1,000/- as cost within 15 days
from receipt of a copy of the order in the court below. On the date
of receipt of order in the court below the petitioners went to
deposit the same but it was not the date fixed, therefore, the
petitioners were directed by the Bench Clerk to come on the next
date. On the next date when the petitioners went to pay the cost,
the advocate of the plaintiff-respondent herein refused to receive
the cost on the ground that 15 days time has already expired.
When the application was filed by the petitioners, the court below

also said that the time has expired.

Since this matter relates to only payment of cost, no notice is required to be issued to the other side. I, therefore, pass the following order.

In view of the above facts and circumstances of the case the time granted by this Court in C.W.J.C. No.977 of 2015 dated 21.04.2016 is extended till the cost is deposited by the petitioners or paid to the plaintiff-respondent. Till then it is directed that no argument shall be heard.

Thus, this M.J.C. application stands allowed.

(Mungeshwar Sahoo, J)

Harish/-

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