

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.720 of 2016

In
LPA 1023 of 2014

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1. Neelam Kumari Wife of Sri Ghanshayam Paswan Resident of village -
Bhatgama, P.S. Dalsinghsarai, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai
3. The District Superintendent of Education
4. The Sub - Divisional officer, Ballia, Begusarai
5. The Block Development officer, officer, Ballia, Begusarai
6. The Block Education Extension Officer, Ballia, Begusarai
7. The Mukhiya, Parmanandpur, Panchayat, Ballia, Begusarai
8. The Panchayat Sevak, Parmanandpur, Ballia, Begusarai
9. Pratima Kumari Wife of Sanjay Paswan Resident of village - Sokahara,
P.S. Teghra, District - Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
Mr. Niranjan Kumar, Advocate
For the Respondent/s : Mr. Kundan Bhadur Singh, SC-22
Mr. Narendra Kumar, AC to SC-22

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 03-03-2016

Ref: I.A. No.1691 of 2016

I.A. No. 1691 of 2016 has been filed by the petitioner,
under Section 5 of the Limitation Act, seeking condonation of
delay of 405 days in preferring the present Miscellaneous
Jurisdiction Case against the order, dated 07.08.2014, passed by
this Court in LPA No. 1023 of 2014.

Heard Mr. Niranjan Kumar, learned Counsel,

appearing on behalf of the petitioner, and Narendra Kumar, learned Counsel for the State-respondents.

Having considered the reasons assigned in the present petition seeking condonation of delay and having heard the learned counsel for the parties, this Court is satisfied that the petitioner was prevented by sufficient causes from preferring the application within time.

In view of the above, the delay of 405 days, in preferring the Miscellaneous Jurisdiction Case, is hereby condoned.

I.A. No. 1691 of 2016 stands disposed of.

By making this Misc. application, the applicant has sought for restoration of LPA No.1023 of 2014, which was dismissed for default on 07.08.2014.

Heard Mr. Niranjana Kumar, learned Counsel for the applicant, and Mr. Narendra Kumar, learned Counsel for the respondents-opposite party.

Having considered the averments made in the application and having heard the learned counsel for the parties, we are satisfied that the absence of the applicant and/or his counsel from the Court on 07.08.2014 was for reasons beyond their control.

In view of the above and in the interest of justice, the order, dated 07.08.2014 aforementioned, is hereby set aside and LPA No. 1023 of 2014 aforementioned is hereby restored to its original file.

This Miscellaneous Case stands disposed of.

(I.A. Ansari, ACJ)

(Anjana Mishra, J)

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