

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1353 of 2016

In

Civil Writ Jurisdiction Case No.23287 of 2013

Mrityunjay Singh, son of late Sheodeep Singh, resident of Gayatri Bhawan,
Ashok Nagar, Road no.11, Kankarbagh Colony, P.S.-Kankarbagh, Patna,
District-Patna.

.... Petitioner/s

Versus

1. Patna Municipal Corporation, Maurya Lok, Patna.
2. The Commissioner, Patna Municipal Corporation, Patna.
3. The Additional Commissioner, Patna Municipal Corporation, Patna.
4. The Executive Officer, Patna Municipal Corporation, Patna.
5. The Tax Officer, Patna Municipal Corporation, Patna.
6. The Tax Assistant, Kankarbagh, Circle Patna Municipal Corporation,
Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Adv.

For the Opposite Party/s : Mr. Prasoon Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 31-08-2016

Heard the parties.

The present MJC application has been filed on behalf of the sole writ-petitioner seeking restoration of CWJC No.23287 of 2013, which stood dismissed on account of delayed compliance of the order dated 08.10.2015.

The learned counsel appearing on behalf of the petitioner submits that, in compliance of the order dated 08.10.2015, requisites for issuance of notices to the respondents therein was required to be filed on or before 27.10.2015 after Pooja Holidays, but the requisites could be filed on 29.10.2015 on account of illness of father of the learned counsel of the petitioner. Hence, there was delay of two days.

The learned counsel appearing on behalf of the opposite parties does not dispute the aforesaid submissions.

In above view of the matter, the prayer for restoration

is allowed. CWJC No.23287 of 2013 is directed to be restored to its original file.

Mr.Prasoon Sinha, the learned counsel, submits that he is the retainer counsel of Patna Municipal Corporation and he shall represent all the respondents in that writ petition.

In view of the aforesaid submissions, no notice is required to be issued to the respondents in the writ petition and name of Mr. Prasoon Sinha shall be printed in the daily cause list as counsel for the respondents.

Now, CWJC No.23287 of 2013 shall be listed before an appropriate Bench, as per roster, after obtaining necessary permission from Hon'ble the Chief Justice and shall no longer be treated as part-heard or tied-up to this Bench.

The present MJC application stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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