

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1616 of 2016

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Ashok Nandan Singh son of late Umesh Nandan Singh, resident of village+
P.O._P.S. Sheohar, District Sitamarhi, A/P residing at Sheohar House,
Motijheel, Muzaffarpur,

.... Petitioner/s

Versus

1. The State of Bihar through the Collector, Sitamarhi.
2. Shivesh Nandan Singh, resident of village Sheohar, P.O.+P.S.
Sheophar, District Sitamarhi, A/P residing at Motijheel,
Muzaffarpur, P.S. and District Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 08-03-2017 Heard Mr. Revati Kant Raman learned counsel for the
petitioner.

This application has been filed for restoration of
C.W.J.C.No.18166 of 2011 which was dismissed for non
compliance of the order dated 14.12.2012. Perusal of the records
of the writ petition would reflect that vide order passed on
14.9.2011 counsel for the petitioner was granted four weeks time
to convert the Civil Revision Application No.45 of 2009 into an
application under Article 227 of the Constitution of India. This
order was not complied and when the matter was taken up on
17.10.2011 three weeks further time was granted to the petitioner
to remove the defects in conversion of the application. Again this
order was not carried out and thus for the third time on 14.12.2012



again one month time was granted to the petitioner i.e. until 15.1.2013 to carry out the earlier orders and yet the petitioner defaulted. As a result the writ petition was dismissed for non compliance of the peremptory orders dated 14.12.2012 on 15.1.2013 and it is three years thereafter that the present restoration application is filed.

The sequence of events discussed above does not persuade this Court to grant indulgence on the relief prayed and the restoration application is accordingly dismissed. The petitioner if so advised may file a fresh application under Article 227 of the Constitution of India.

(Jyoti Saran, J)

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