

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.307 of 2016

In

Miscellaneous Jurisdiction Case No. 1197 of 2008

=====

Subhash Tanti, son of Late Ishwar Tanti, R/o Khurda Ammdanda, P.S.
Ammdanda, District-Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. The Member, Boards of Revenue, Bihar, Old Secretariat, Patna
3. The Addl. Collector, Bhagalpur
4. The Dy. Collector, Land Reforms (D.C.L.R.) Kahalgaon, Bhagalpur
5. Sub Registrar, Kahalgaon, Bhagalpur
6. Md. Suleman, S/O Late S.K.Yaku
7. Bivi Shakila W/o Late S.K. Shaheed

Both R/OP Vill-Ammdanda Khurda, P.S. Sonakhar, District-
Bhagalpur

.... Opp.Parties.

=====

Appearance :

For the Petitioner/s : Mr. Ram Shankar Das

For the Respondent/s : Mr. AC to GP-3

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-05-2017 Heard Sri Ram Shankar Das, learned counsel for
the petitioner and learned AC to Govt. Pleader no.3.

The present petition has been filed with a prayer to
restore M.J.C.No.1197 of 2008, which stood dismissed on
13.10.2011 due to non-prosecution.

Learned counsel for the petitioner tried to persuade
the Court that due to bona fide reason, there was non-appearance
and, as such, it is a fit case for restoration.

On going through the record, it is evident that
M.J.C. petition, which has been sought to be restored , was earlier
also dismissed on 24.06.2009. Subsequently M.J.C.No.1197 of



2008 was got restored on petition filed by the petitioner vide M.J.C.No. 2361 of 2008. The said restoration petition was allowed on 08.04.2009 and M.J.C.No.1197 of 2008 was directed to be restored to its original file. Even though M.J.C. was restored, again due to non-prosecution M.J.C.No.1197/2008 stood dismissed on 13.10.2011. Though M.J.C.No.1197/2008 stood dismissed due to non-prosecution long back on 13.10.2011, the present restoration petition was filed in the month of January, 2016 without giving plausible explanation. This depicts the casual approach adopted on behalf of the petitioner. Moreover, the ground set forth in the petition is not sufficient to persuade the Court to restore the case.

The present petition stands dismissed.

(Rakesh Kumar, J)

NKS/-

U		T	
---	--	---	--

