

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.755 of 2015

In

Miscellaneous Jurisdiction Case No. 2051 of 2014

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1. AMAR NATH KOHALI, SON OF LATE BIDYA BHUSHAN KOHALI, RESIDENT OF VILLAGE SHAHPUR SUTIHAR, P.S. DERNI, DISTRICT CHAPRA.

2. PAWAN KUMAR MAHATHA, SON OF LATE SUSHIL KUMAR MAHATHA, RESIDENT OF VILLAGE PALAR, P.S. AND HRETHARHI, DISTRICT MADHUBANI.

.... Appellants

Versus

1. BOARD OF REVENUE THROUGH ITS MEMBER, OLD SECRETARIAT, BIHAR, PATNA.

2. COLLECTOR-CUM- DISTRICT MAGISTRATE, MADHUBANI.

3. THE D.C.L.R., JHANJHARPUR, MADHUBANI

4. S.D.O., JHANJHARPUR, MADHUBANI

5. CIRCLE OFFICER, ANDHRETHARHI, MADHUBANI

6. STATE OF BIHAR.

7. BIMLA DEVI, WIFE OF CHANDESHWAR PRASAD MAHATHA, RESIDENT OF VILLAGE KULHARIA, P.S. BABU BARHI, DISTRICT MADHUBANI.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Radha Mohan Pathak

For the Respondent/s : Mr. Sc3-Syed Arshad Alam

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 27-07-2017

Dismissal of the writ application refusing restoration

seems to be in order. Obviously, there is lack of seriousness in proceeding with a litigation, which was filed way back in the year 2004, which got dismissed on 09.07.2010, for which restoration was only sought in the month of June, 2014 on spacious ground that the *karta* or petitioner No.1 has died. The Court notices that he was not the sole petitioner but there were



two other petitioners also. The Court cannot reward negligence.
Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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