

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 4957 of 2014

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1. Heera Devi wife of Jagannath Khan
2. Puja Kumari
3. Guria Kumari Both daughters of late Seth Khan
4. Roshan Kumar son of late Seth Khan Petitioners no. 2 to 4 being minors,
as such represented through petitioner no. 1 Heera Devi by the order of the
Court. All are resident of village and p.s. Bangaon, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar through the District Magistrate, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Respondent/s : Mr. Kundan Bhadur Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 20-09-2017 Heard.

This petition has been preferred for restoration of M.A.
No. 562 of 2013 which stood dismissed on 21.04.2014 due to non
compliance of peremptory order dated 10.04.2014.

Learned counsel for the petitioners submits that as a
matter of fact, the concerned advocate clerk had gone to his native
village in connection with treatment of his mother and that was the
reason the peremptory order of the court could not be complied
with in time. However, the concerned clerk also died and the
petitioners are ready to comply the peremptory order of the court
within the period as fixed by this court.

Taking note of the aforesaid submissions as well as



facts and circumstances of the case, this restoration petition stands allowed and accordingly, M.A. No. 562 of 2013 is restored to its original number, subject to condition that petitioners must remove the defects as pointed out by the office within four weeks after Puja holidays, failing which the aforesaid M.A. No. 562 of 2013 shall be deemed to be dismissed.

(Hemant Kumar Srivastava, J)

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