

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3765 of 2011

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The State of Bihar & Ors

.... Petitioner/s

Versus

Dunni Lal Deepak And Ors.

.... Respondent/s

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1. Dunni Lal Deepak, son of Sri Kailu Prasad, resident of vill- Bhagant P.S. Manigachhi, Dist- Darbhanga
2. Hemant Kumr, son of late Prem Shankar Lal of village- Bahadurpur, P.S. Bahadurpur, Dist- Darbhanga
3. Prem Kumar Jha, son of late Ganesh Jha of village- Bahatta, P.S. Benipatti, Dist. Madhubani
4. Baqunjee Mishra, son of Indra Narayan Mishra of vill- Karajpur, P.S. Darbhanga District- Darbhanga
5. Balram Chaudhary, son of late Deo Narayan Chaudhry of vill and P.S. Bahadurpur, Dist. Darbhanga Petitioners

Versus

The State of Bihar & Ors. Opp. Parties.

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-08-2017

This application has been filed for restoration/review of an order passed in LPA No. 560 of 2010 which has been dismissed by an order passed without the consent of the parties concerned.

The records indicate that various other LPAs, analogous in nature, were disposed of and the matter traveled to the Supreme Court in Civil Appeal Nos. 6485, 6486 and 6489 of 2011 and under similar circumstances LPAs decided by this Court



have been restored to their original files and order passed in the LPAs by the Division Bench was set aside by the Supreme Court and directions have been issued to the High Court to decide the issue on merits.

Keeping in view the aforesaid order passed by the Supreme Court and the fact that in various other cases, identical in nature, this Court has recalled the order passed in the LPAs and directed for its listing and decision on merits, in view of the direction of the Supreme Court, as indicated hereinabove, this application is also allowed. The order impugned passed in LPA No. 560 of 2010 is recalled. The said LPA is restored to its original file.

Office to place it before the appropriate Bench.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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