

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4452 of 2014

Arising out of

Civil Writ Jurisdiction Case No. 10477 of 2012

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Upendra Naraya Singh Son of Late Tek Narayan Singh Resident of village-
Sanhauli P.O.,P.S. & District : Khagaria

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar at Patna.
2. The Commissioner, Munger
3. The Collector, Khagaria
4. The Superintendent of Police, Khagaria
5. The Sub Divisional officer, Khagaria
6. The Land Reforms Deputy Collector, Kahgaria
7. The Anchal Adhikari, Khagaria
8. The Station Officer, Morkahi P.S. Khagaria
9. The Anchal Amin, Anchal & District : Khagaria
10. Smt Meena Devi wife of Pawan Paswan Resident of village & P.O. :
Marar, P.S. : Morkahi District : Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 10-08-2017 This application has been filed for restoration of

C.W.J.C. No. 10477 of 2012 on the ground that it has been

dismissed due to non-compliance with a peremptory order passed

on 21.06.2012 and, therefore, prayer is made for restoration of the

writ petition.

A perusal of the records of C.W.J.C. No. 10477 of

2012 goes to show that even though a peremptory order was

passed on 21.06.2012 but the writ petition was not dismissed on

account of the aforesaid peremptory order. The matter was again



listed before a Bench of this Court on 22.01.2016 and by a detailed order passed on merit, the writ petition has been allowed in part granting some relief to the petitioner quashing the order of the competent statutory authority and remanding the matter back for fresh consideration after grant of opportunity.

That being so, this application for restoration is not maintainable as the writ petition in question has been decided on merit and has not been dismissed on account of peremptory order not being complied with.

The application is, accordingly, dismissed.

(Rajendra Menon, CJ)

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