

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3297 of 2017

In
Second Appeal No.73 of 1986

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1. Mahanth Ramautar Das Chele of Mahanth Mangal Das Resident of Village-Ghorasahan, P.S.- Ghorasahan, District-East Champaran.
 2. Sri. Ram Janki Math @ Other Idols instituted in the Math through Mahanth Ramautar Das, Sewayat, Village- Ghorasahan, P.S. Ghorasahan, District East Champaran.

... .. Petitioner/s

Versus

1. Krishna Chandra Prasad Gupta, Son of Ganesh Prasad Gupta, Resident of Village-Ghorasahan, P.S.- Ghorasahan, District-East Champaran.
2. Ram Deni Devi, Wife of Krishna Chandra Prasad Gupta
3. Madan Prasad
4. Vijay Prasad
5. Mohan Prasad
6. Dhananjay Prasad
7. Harendra Prasad
- 3-7 sons of Krishna Chandra Prasad Gupta
8. Indra, Daughter of Krishna Chandar Prasad Gupta All Resident of Village-Ghorasahan, P.S. & P.O. - Ghorasahan, District- East Champaran.
9. Bihar State Religious Trust Board, Patna through its Special Officer, Vidyapati Marg, P.S.Kotwali, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Surya Nararyan Poddar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-03-2018 By an order, dated 17.02.1992, Second Appeal No. 73 of 1986 was dismissed as withdrawn. More than 25 and half years thereafter, the present application has been filed for restoration of Second Appeal No. 73 of 1986.

The Office has placed the file, under the heading “For Orders (On Office Notes)”, raising the issue of maintainability



in the absence of any limitation petition for condoning the delay.

Learned Counsel for the petitioners submits that he is not ready to address the Court on the point of maintainability of this application, I do not find any reason to entertain this application since it is apparently not maintainable. There is no plausible explanation for delay of 25 years in filing the present application.

This application is accordingly dismissed as not maintainable.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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