

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3332 of 2016

In

C.R. 131 of 2014

- =====
1. Mithilesh Thakur, Son of Jathu Thakur.
 2. Nathuni Mahto, Son of Late Ram Khelawan Mahto.
- Both residents of village - Dih Sarsona, P.S. Bangra, District – Samastipur.

.... Plaintiffs-Petitioners.

Versus

1. The State of Bihar through Collector, Samastipur.
2. The SDO, Samastipur.
3. The BSO- Cum- Circle officer, Tajpur, Samastipur.

..... Defendants 1st set/O.P. 1st set.

4. Nawal Mahto, Son of Late Rudal Mahto.
 5. Suresh Prasad, Son of Janak Prasad Mahto.
 6. Prabhat Kumar, Son of Lakhan Mahto.
 7. Mahendra Thakur, Son of Panchu Thakur.
 8. Bajju Thakur, Son of Panchu Thakur.
 9. Sunil Kumar Pankaj, Son of Ram Briksha Mahto.
 10. Basudeo Mahto, son of Ram Tahal Mahto.
 11. Rajendra Singh, Son of Munni Lal Mahto.
 12. Bhegaran Mahto, Son of Sant Lal Mahto.
 13. Rajdeo Mahto, Son of Late Munshi Mahto.
 14. Bharat Sah, Son of Nanipath Sah.
 15. Rajesh Kumar, Son of Ram Sawrup Singh.
 16. Arun Kumar Singh, Son of Ram Lochan Singh.
 17. Tek Narayan Singh, Son of Dhanraj Singh.
 18. Jay Lal Singh, Son of Late Chattu Singh.
 19. Ramu Thakur, Son of Jipu Thakur.
 20. Shankar Mahto, Son of Sita Ram Mahto.
 21. Bharamdeo Mahto, Son of Bihari Mahto.
 22. Shambhu Thakur, Son of Ram Lagan Thakur.
 23. Laxman Mahto, Son of Late Gokhul Mahto.
 24. Ram Babu Singh, Son of Ramjee Singh.
- All residents of village - Muradapur Bangra, P.S. Bangra, District - Samastipur
25. Jay Kumar, Son of Baijnath Singh, resident of village - Dih Sarsausa, P.S. Bangra, District – Samastipur.
 26. Sheo Nandan Mahto, Son of Late Lilla Mahto, resident of village - Chakbangari, P.S. Bangra, District – Samastipur.

.... Plaintiffs-Performa Opposite Parties.

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Appearance :

For the Petitioner : Mr.
For the Opposite Parties : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

4 31-01-2018 Heard.

This application has been filed on behalf of the petitioner for restoration of I.A. No.6401 of 2014 in Civil Revision No.131 of 2014, which stood rejected on 18.09.2014 due to non compliance of the Court's peremptory order dated 04.09.2014.

Learned counsel for the petitioner submits that vide Court's peremptory order dated 04.09.2014 passed in Civil Revision No.131 of 2014, notice was directed to be issued upon the opposite parties in limitation matter (I.A. No.6401 of 2014) under ordinary process as well as registered cover with A/D, for which requisites etc. were to be filed within two weeks but the said order could not be complied with within time resulting into rejection of I.A. No.6401 of 2014 but the said order has already been complied with on 02.08.2016.

In view of the aforesaid submission of the learned counsel for the petitioner, I.A. No.6401 of 2014 filed in Civil Revision No.131 of 2014 is restored to its original file and number subject to the condition that the order dated 04.09.2014 passed by this Court in Civil Revision No.131 of 2014 in respect to I.A. No.6401 of 2014 is fully complied with.



Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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