

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3643 of 2017

In

Civil Writ Jurisdiction Case No. 9575 of 1998

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Ramadhar Ram, Son of Naresh Ram, Resident of Village+Post- Kovari,
Via- Harnaut, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Secretary to the Government of Animal Husbandry, Government of Bihar, New Secretariat, Patna.
3. Director, Animal Husbandry, Government of Bihar, New Secretariat, Patna.
4. Regional Director, Animal Husbandry, North Bihar Range, Muzaffarpur.
5. Deputy Secretary to the Government, Department of Animal Husbandry, Government of Bihar, New Secretariat, Patna.

.... Opp.Parties

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Adv.

For the Respondent/s : Mr. Pramod Kumar - PC To GP 4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

- 4 21-08-2018 This restoration application has been filed for restoration of C.W.J.C.No. 9575/1998 which was dismissed for non-compliance of peremptory order passed on 14.10.2009, whereby the petitioner was directed to file an additional brief for use of the third Member forming the Division Bench. On failure of the petitioner to do so that the writ petition was dismissed on 31st October, 2009 and is sought to be restored through this application filed after eight years. In the meantime, the records of the writ petition itself has been destroyed.



Mr. Abhinav Srivastava standing in support of the petitioner informs that the matter has gone to the Full Bench and some order has been passed but he is not aware of the same.

In the circumstances noted, since the records of the writ proceeding itself has been destroyed and the petitioner has awoken from slumber after nine years, we refuse to grant indulgence for restoration of the writ proceedings but while doing so, we would give liberty to the petitioner to file a fresh writ petition, if so advised, enclosing all the relevant documents connected with the matter.

The M.J.C. application is dismissed with the liberty aforementioned.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

Surendra/-

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