

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.2208 of 2017

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1. M/s Walia Builders through its Proprietor Mohan Ahluwalia son of late Karamchand Ahluwalia resident of 156, Malssi Sinola Road, Village Sinaula Sinola, Dehradun, Chakrata, Uttrakhand - 248003.

.... Appellant/s

Versus

1. Patna Municipal Corporation through its Commissioner, 'C' Block, 2nd Floor, Maurya Lok, Patna - 800001.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar

For the Respondent/s : Mr. Bindhyachal Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 27-09-2018

Heard both sides.

The petitioner has filed this Civil Misc. petition under Article 227 of the Constitution of India against the order dated 05.04.2016 passed by the learned District Judge, Patna in Misc. case No. 108 of 2015.

The learned counsel for the petitioner submits that the respondent-Patna Municipal Corporation filed Misc. case against the award. There is no provision for condoning the delay. It is further submitted that the delay is of 2590 days. The petitioner filed petition before the learned District Judge that he has got no jurisdiction to condone the delay in Misc. case filed against the award but no order is being passed on the petition.



Mr. Bindhyachal Singh, the learned counsel for the respondent, submits that it is appropriate that the learned District Judge may consider the petition of the petitioner. It is pointed out that the case is presently pending before the learned Additional District Judge-IX.

Having considered the facts aforesaid, I direct the court in seisin of the case to dispose of the petition of the petitioner filed on 05.05.2016 within three months from the date of receipt of this order.

With the aforesaid direction, this Civil Misc. petition is disposed of.

(Prabhat Kumar Jha, J)

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