

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1578 of 2017

In

LPA 1106 of 2014

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Jeet Jal Jitendra, Army No. 1516264 on, Son of Jang Bahadur Singh,
Resident of Village-Bikram Bigha, Post Office- Dhanau, Police Station-
Nasriganj, District-Rohtas.

.... Petitioner

Versus

1. The Union of India, through the Secretary, Ministry of Defence, South Block Raisina Hills, New Delhi 110011.
2. The Chief Of the Army Staff, Sena Bhawan, New Delhi.
3. The Brigadier, 7, Infantry Brigade, 56 APO.
4. The Brigadier, Arty Record, Nasik Road C/o 56 APO
5. The Major, Bty. Cor. H.Q. Bty. 141 Fd. Regiment (Kargil).
6. The Commanding Officer, 141 Fd. Regim (Kargil) C/o 56 APO.
7. The Captain, Arty Romeo Battery 141 Fd. Regiment (Kargil).

.... Opp.Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.)

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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 20-08-2018

Re: I.A.No. 6313/2017

Heard Mr. Vijay Kumar Mishra, learned counsel for the
petitioner and Mr. Rakesh Kumar Sinha, learned Central Govt.
Counsel, for the opposite parties.

This interlocutory application has been filed for
condonation of delay of 1 month and 8 days in filing the
restoration application.

We have heard learned counsel for the parties and have
perused the reasons assigned and are satisfied by the explanation



so given for delay in filing of the restoration application.

I.A.No. 6313/2017 is allowed.

Re: M.J.C.No. 1578/2017

With the consent of the parties the restoration application has been heard.

Having heard Mr. Mishra, learned counsel for the petitioner and Mr. Sinha, learned counsel for the respondents, we are satisfied by the reasons assigned by the petitioner for his non-appearance on the date the Letters Patent Appeal was dismissed for non-prosecution. The prayer for restoration is allowed. The order dated 8.4.2017 passed in L.P.A. is recalled and consequently, L.P.A.No. 1106/2014 is restored to its original file.

M.J.C.No. 1578/2017 is allowed.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

Surendra/-

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