

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2701 of 2016

In

C.R. 48 of 2016

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Ashok Singh @ Ashok Kumar Singh

.... Petitioner/s

Versus

Rajendra Singh & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 27-06-2018 Heard Mr. J.S.Arora, learned senior counsel appearing on behalf of the petitioner.

It appears that vide order dated 12.04.2016, notices were directed to be issued to the opposite parties in the limitation matter for which the petitioner was directed to file requisition under registered cover with A.D. as well as ordinary process within one week but due to inadvertence, the petitioner filed requisition for issuance of notice only on opposite party Nos.1 and 2 and no requisition was filed for issuance of notice on opposite party No.3. Consequently, the office reported that the limitation petition against all three opposite parties stood dismissed due to non-compliance of the order dated 12.04.2016. The petitioner filed requisition for issuance of notice against opposite party Nos.1 and 2, therefore, the report that the limitation petition stood dismissed



against all the opposite parties does not appear to be correct.

Petitioner has already filed requisition for issuance of notice on opposite party No.3. Let the same be issued and the limitation petition shall not be dismissed.

Accordingly, the M.J.C. is allowed with the aforesaid direction.

(Prabhat Kumar Jha, J)

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