

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.426 of 2018

In

LPA 1272 of 2016

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Binod Kumar Malakar, Son of Sri Ved Prakash Malakar, Resident of
Village- Mungaraura, P.O.- Jamalpur, P.S.- East Colony, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. The Director, General-Cum- Inspector General of Police, Bihar, Patna.
3. I.G., B.M.P., Bihar, Patna.
4. D.I.G., B.M.P., Uttari Mandal, Muzaffarpur.
5. Commandant, B.M.P.- 9, Jamalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Adv.

Mr. Brij Mohan Kumar, Adv.

For the Respondent/s : Ms. Divya Verma, AC to AAG-3.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

4 04-09-2018 Heard Mr. Najmul Hoda, learned counsel appearing for

the petitioner and Ms. Divya Verma, learned Assisting Counsel

to Additional Advocate General No.3 for the State on the

restoration application which has been filed for restoration of

LPA No.1272 of 2016 which got dismissed for partial

compliance of the order dated 18.08.2016 which directed the

appellant to remove the defects pointed by the office.

Perusal of the office note dated 21.09.2016 confirms

that while in compliance of the direction of this Court defect

nos.1 and 2 were removed by the appellant in time but the defect



nos.3 and 4 were removed two days late than the peremptory time so fixed.

That the defects have since been removed we condone the delay to accept the removal of defect nos.3 and 4 as well. As a consequence the appeal is restored to its file.

The restoration application is allowed.

Let the appeal together with the interlocutory application be accordingly posted for consideration under the appropriate heading.

(Jyoti Saran, J)

(Nilu Agrawal, J)

SKPathak/Anjula

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