

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2171 of 2000

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KAUSHAL KUMAR SHARMA

... .. Petitioner/s

Versus

THE STATE OF BIHAR & ORS

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.J.N.Shrivastava
For the Respondent/s : Mr.(Gp9)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 02-01-2019 This writ application was filed on 01.03.2000. The application stood dismissed for default for non-appearance of learned counsel for the petitioner by an order dated 05.03.2001. For restoration of the case, the petitioner filed M.J.C. No. 934 of 2001, which also stood dismissed for default as against opposite parties No.6 to 11 of that case for non-compliance of certain preemptory order. This Court, however, recorded that the said restoration application would survive as against opposite parties No. 1 to 5 of that case. Another restoration application being M.J.C. No. 3019 of 2004 was thereafter filed for restoration of M.J.C. No. 934 of 2001. The said restoration application was allowed and thus by an order dated 18.10.2017, the C.W.J.C. No. 2171 of 2000 was ordered to be restored to its original file. This application was thereafter taken up by this Court on



15.03.2018, when there was no attendance on behalf of the petitioner. The matter was, however, adjourned to 19.03.2018. Today also, on call there is no representation on behalf of the petitioner.

This application is accordingly dismissed for default.

It is indicated that since because of the lapse on the part of the petitioner this writ application has remained pending for 18 years, any application for restoration can be maintained only upon payment of cost of Rs.10,000/-.

(Chakradhari Sharan Singh, J)

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