

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2008 of 2017

In

Civil Writ Jurisdiction Case No.4003 of 2006

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M/s Verona Commercial Credit And Investment Company Ltd. Through its President Sri Bhagwan Singh, Son of Late Ram Sakal Singh, Resident Regional and Branch Office, Sasaram, P.S. Sasaram, District - Rohtas (Sasaram).

... .. Petitioner

Versus

1. The State of Bihar
2. The Collector, Rohtas, Sasaram.
3. The Executive Officer, Sasaram Municipal Corporation, Sasaram (Rohtas).
4. Kumar Prasad (Minor) Son of Sri Kumar Pramendra
5. Kumar Pratik (Minor) son of Sri Kumar Pramendra,
under the guardianship of Smt. Sunita Singh, mother and natural guardian
6. Smt. Sunita Singh, wife of Kumar Pramendra
7. Kumar Pramednra, Son of Late Sarju Kumar,
(4 to 7) R/o Mohalla New Area, Sasaram, P.O.+ P.S. - Sasaram, District - Rohtas (Sasaram).
8. Kumar Rai, Son of Late Ramdeo Rai, R/o Village + P.O. - Muradabad, P.S. - Sasaram, District - Rohtas (Sasaram).
9. Rameshwar Singh ,son of Late Ram Nihora Singh
10. Jai Ram Prasad, Son of Jai Mangal Singh,
Both (9 and 10) R/o Housing No. 177, G.T. Road, Civil Lines, Sasaram, District - Rohtas (Sasaram).
11. Rama Shankar Tiwary
12. Uma Shankar Tiwary
Both (11 & 12) Son of Jagarnath Tiwary R/o Village Pakaria (Sasaram).

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.AC to Advocate General, Bihar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4 10-07-2019 Heard Sri Rajesh Kumar, learned counsel for the

petitioner and learned A.C. to the Advocate General, Bihar.

The present petition has been filed for restoring



C.W.J.C.No. 4003 of 2006, which stood dismissed long back on 01.02.2013 due to non-prosecution.

Along with present restoration petition, the petitioner has filed an Interlocutory Application i.e. I.A. No.5087 of 2017 under Section 5 of the Limitation Act for condoning the delay in filing the restoration petition. Some reason has been shown in the petition for filing the present restoration petition at belated stage. It has been indicated that earlier the case was being conducted by one Sri Ram Kumar Mishra, Advocate, who subsequently left for heavenly abode on 18.03.2017, whereas writ petition stood dismissed on 01.02.2013. In such situation, the Court is of the opinion that there is no plausible explanation for condoning the delay.

Accordingly, limitation petition i.e. I.A.No. 5087 of 2017 stands dismissed. Consequently, Restoration Petition i.e. M.J.C.No2008 of 2017 too stands dismissed.

(Rakesh Kumar, J.)

nawalkrs/-

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