

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3078 of 2019

In
Civil Writ Jurisdiction Case No.10331 of 1992

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1. Sunita Devi, w/o late Gauri Shankar Sharma, resident of village- Kotha Tola Bel, P.O.- Bel, Police Station- Barigania, District- Sitamarhi.
 2. Santosh Kumar Sharma @ Santosh Kumar Singh, s/o late Gauri Shankar Sharma, resident of village- Kotha Tola Bel, P.O.- Bel, Police Station- Barigania, District- Sitamarhi.
 3. Ragini Singh @ Ragini Devi, w/o Shailendra Kumar Singh, resident of village- Kotha Tola Bel, P.O.- Bel, Police Station- Barigania, District- Sitamarhi.

... .. Petitioner/s

Versus

1. Phuldeo Singh, s/o Tapeswar Singh, resident of village and P.O.- Khairwa Darp, Police Station- Sheohar, District- Sitamarhi (now Sheohar)
2. Smt. Ram Janki Devi, w/o Sri Phuldeo Singh, resident of village and P.O.- Khairwa Darp, Police Station- Sheohar, District- Sitamarhi (now Sheohar)
3. Consolidation Officer, Sheohar, At and P.O.- Sheohar, District- Sitamarhi (now Sheohar).
4. Deputy Director of Consolidation, Sitamarhi.
5. Joint Director of Consolidation, Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Mohan
For the Opposite Party/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 25-09-2019 CWJC No. 10331 of 1992 was earlier dismissed for default on 23.02.2015. After restoration of the writ application, the matter was again taken up on 30.04.2019. On 30.04.2019 also, in the absence of any representation on behalf of the petitioner, this writ application was dismissed.

Learned counsel for the petitioners states that it so



happened because no Vakalatnama was filed on behalf of the petitioners in the writ petition, before the matter was taken up on 30.04.2019.

The present restoration application has been filed in the above background. Negligence on the part of the petitioner is apparent.

It is evident from the order sheet that the petitioner has been negligent in pursuing this matter and this second restoration application has been filed to restore the writ application. However, in the facts and circumstances, this restoration application is allowed subject to payment of cost of Rs.5,000/- within four weeks to be deposited in the account of Bihar State Legal Services Authority.

Let C.W.J.C. No. 10331 of 1992 be restored to its original file.

(Chakradhari Sharan Singh, J)

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