

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3493 of 2016

In
Civil Writ Jurisdiction Case No.2484 of 2016

1. Bipin Yadav
2. Sujit Yadav both sons of late Miri Yadav
3. Smt. Mano Devi Daughter of Late Miri Yadav, all three Residents of Village-
Nayatola Baijani, Police Station Jagdishpur, District Bhagalpur

... .. Petitioner/s

Versus

1. Md. Farook Ali, son of late Hajik Ali, resident of village- Simariya, Police
Station Nath Nagar, District- Bhagalpur
2. Sardari Sah
3. Hardeo Sah both sons of late Biso Sah all two Residents of Village-
Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
4. Laxmi Devi wife of Dinesh Sah Resident of Village and Post Office- Tegrah
Kharagpur, District- Munger.
5. Sila Devi Wife of Suresh Sah Resident of Village- Chanderi, Post Office-
Punsiya, District- Bhagalpur.
6. Gauri Sah Son of late Ram Prasad Sah
7. Parmanand Sah
8. Daya Nand Sah Both Sons Of Late Subedar Sah All Are Residents Of
Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
9. Ajay Sah
10. Pancha Sah
11. Bhawesh Sah All Sons Of Late Babu Lal Sah
12. Asha Devi Daughter Of Late Babu Lal Sah
13. Sital Sah
14. Satan Sah Both Sons Of Late Kanhai Sah
15. Tarni Devi Wife Of Late Hari Sah, Daughter Of Late Kanhai Sah
16. Kamal Sah
17. Bimal Sah Both Sons Of Late Chulhai Sah All Are Residents Of Village-
Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
18. Sakunia Devi Wife Of Shyam Sundar Sah Resident Of Village- Katchatar,
Police Statrion- Rajoun, District- Banka.
19. Mostt. Kari Devi Wife Of Late Sarjun Sah Resident Of Village- Sahani
Jamalpur, District- Munger.
20. Gopi Sah Son Of Late Muhlai Sah
21. Bathi Devi Wife Of Suresh Sah
22. Pramila Devi Wife Of Anirudh Sah All Residents Of Village- Naya Gaon



Bounsi, District Banka

23. Sushila Devi Wife Of Sri Kant Sah Resident Of Village- Kumaitha, Police Station- Bounsi, District- Banka.
24. Kulo Singh
25. Dipo Singh Both Sons Of Late Banarsi Singh
26. Phoudari Singh
27. Shyam Singh
28. Dilla Singh
29. Billa Singh All Sons of Late Sukhdeo Singh All Are Residents of Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
30. Prabha Devi Wife of Lalit Singh Resident of Village- Chilkapur, Police Station- Amarpur, District- Banka
31. Shanti Devi Wife of Badri Singh Resident of Village- Madhochak, Police Station- Amarpur, District- Banka.
32. Ramva Devi Wife of Late Jagdish Yadav
33. Inder Yadav
34. Ranjit Kumar Yadav
35. Karu Yadav
36. Amrit Yadav All Sons of Late Jagdish Yadav
37. Puniya Devi Wife of Dinesh Yadav
38. Dhaniya Devi Wife of Bhairo Yadav
39. Fakir Yadav
40. Ganesh Yadav
41. Mahesh Yadav
42. Kailash Yadav All Sons of Late Bhujani Yadav All Are Residents of Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
43. Ana Devi Wife of Chaitu Yadav Resident of Village- Jichcho, Police Station- Sabour, District- Bhagalpur.
44. Narsingh Gope Son of Late Tulo Gope All Are Residents of Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
45. Kailash Yadav
46. Bandana Devi Wife of Late Subash Yadav
47. Shailendra Yadav
48. Bambam Yadav Both Sons of Late Subhash Yadav
49. Bila Yadav
50. Babu Yadav
51. Kailash Yadav All Sons of Late Diro Yadav All Are Residents Of Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
52. Arti Devi Wife of Mahesh Yadav



53. Bidya Devi Wife of Suresh Yadav, Both Daughters of Late Diro Yadav All Are Residents of Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
54. Ajay Yadav Son of Late Sukhdeo Yadav
55. Ram Bilas Yadav
56. Mikendra Prasad Yadav
57. Pramod Prasad Yadav
58. Sonu Prasad Yadav
59. Sikandar Prasad Yadav All Sons of Late Shiv Chandra Yadav
60. Jagdish Yadav
61. Giri Yadav Both Sons of Late Singeshwar Yadav
62. Jahindra Yadav Son of Late Chaturi Yadav
63. Mostt. Fulsaro Devi Wife of Late Chaturi Yadav All Are Residents of Village- Nayatola Baijani, Police Station- Jagdishpur, District- Bhagalpur.
64. Bachi Devi Wife of Buchi Yadav Resident of Village- Karhariya, Police Station- Sultanganj, District- Bhagalpur
65. Kaili Devi Wife of Naresh Yadav Resident of Village- Kohalachak, Police Station- Shahkund, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Advocate

For the Opposite Party/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 09-12-2021

The instant petition stands filed for restoration of CWJC No. 2484 of 2016, titled as Bipin Yadav & Ors Vs. Md. Farook Ali & Ors., which stood dismissed for non-compliance of peremptory order dated 13th of July, 2016.

The peremptory order dated 13th of July, 2016 passed in CWJC No. 2484 of 2016, titled as Bipin Yadav & Ors Vs. Md. Farook Ali & Ors. could not be complied with by the petitioners in relation to which the petitioners filed the instant



petition on 23rd of September, 2016 seeking restoration of the petition to be adjudicated on merits.

The reasons for non-compliance of the order stands sufficiently explained. Also there is no inordinate delay, much less negligence.

As such, the petition is allowed and CWJC No. 2484 of 2016, titled as Bipin Yadav & Ors Vs. Md. Farook Ali & Ors. is restored to its original number and position.

(Sanjay Karol, CJ)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	10.12.2021
Transmission Date	

