

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20849 of 2020

In
CRIMINAL MISCELLANEOUS No.56273 of 2019

Arising Out of PS. Case No.-6 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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PANKAJ KUMAR S/O- Parsuram Singh R/O- Village Chandrapura, P.S. -
Karaipalsurai, District - Nalanda, Bihar -801302.

... .. Petitioner/s

Versus

1. THE UNION OF INDIA
2. The Assistant Director, Directorate of Enforcement Government of India 1st
Floor, Chandpura Palace, Bank Road, West Gandhi Maidan, Patna -800001.
3. District Manager, Bihar State Food and Civil Supplies Corporation,
Nalanda. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Mohan Mishra
For the Union of India		Dr. K.N.Singh (ASG)
		Mr. Manoj Kumar Singh (retainer/ED)

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-12-2021 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

This application has been filed for restoration of

Cr.Mis. No. 56273 of 2019, which was dismissed on 22.11.2019

due the the peremptory order of co-ordinate Bench of this Court

dated 04.09.2019, whereby the petitioner was directed to

remove the defects.

Learned counsel for the petitioner has submitted that



the petitioner is not responsible for the lapses nor the intention of the petitioner was *mala fide*. The real fact is that the Advocate of the petitioner had removed the defect but the supplementary affidavit has not been filed, which now is necessary due to the judicial order. Hence, the petition was dismissed.

Considering the above facts, this restoration application is allowed and Cr.Misc. No. 56273 of 2019 is restored to its original file and number. As the petition for restoration has been filed after a lapse of seven months, a cost of Rs.5,000/- is imposed on the petitioner to be deposited in the fund of Bihar State Legal Services Authority, Patna

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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