

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3659 of 2016

In
Civil Writ Jurisdiction Case No.5892 of 1990

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- 1(a) Surendra Mishra Son of late Pandit Baidyanath Mishra
(b) Basistha Mishra, Son of late Pandit Baidyanath Mishra
(c) Nagendra Mishra, Son of late Pandit Baidyanath Mishra
(d) Diwakar Mishra, Son of Late Dilip Mishra, All are resident of Village Nadda Parsauni, Police Station- Bhairoganj, District-West Champaran.
- 2(a) Dhamendra Shukla, Son of late Narbdeswar Shukla and late Lalmati Devi
(b) Murari Shukla, Son of late Narbdeswar Shukla and late Lalmati Devi, Both are resident of Village-Chandrapur Bakwa, Police Station-Chautarwa, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Collector, West Champaran at Bettiah.
3. The Deputy Collector Land Reforms, West Champaran, Bettiah.
4. The Circle Officer, Bagaha, District West Champaran.
5. Borahwa Brahmastha, Nadda Parsauni, P.O. Bhairoganj, P.S.- Bagaha (Old) P.S.- Bhairoganj (New), District- West Champaran, through the General Secretary, Gram Sabha, Jagdambika Rao Nadda Parsauni, P.S. Bagaha, District West Champaran.
6. Raj Kishore Singh Son of Baidya Prasad Singh resident of Village- Nadda Parsuni, P.S.- Bagaha (Old) P.S.- Bhairoganj (New), District- West Champaran.
7. Most. Rajpati Devi Daughter of Laxmi Pati Tiwary resident of Village- Dharampur, P.S.- Bagaha, District- West Champaran, at present residing at Village- Nadda, P.S.- Bagaha, District West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhitabh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 09-12-2021

CWJC No. 5892 of 1990, titled as Pandit Baidyanath

Mishra & Anr. Vs. The State of Bihar & Ors. was dismissed for



non-prosecution on 10.12.2008. The instant application for restoration stands filed on 06.10.2016.

It is alleged that the petitioner was not aware of the death of the original counsel, who expired on 3rd of February, 2006. Strangely, it is not recorded as to why the petitioner did not pursue the matter with the counsel. It is not that the petitioner is a rustic villager, or was in any manner handicap from approaching this Court or prevented from resorting to the legal recourse. Also, no ground sufficient enough for interference is made out.

As such, the petition stands dismissed.

(Sanjay Karol, CJ)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	10.12.2021
Transmission Date	

