

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.734 of 2019
Arising out of
Letters Patent Appeal No.90 of 2018

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Amit Shrivastava @ Amit Kumar Srivastava

... .. Petitioner/s

Versus

The State of Bihar and Ors.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Senior Advocate
For the State : Mr. Rakesh Ambastha, A.C. to A.A.G. 7

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

3 04-11-2022 The matter has been heard through video conferencing.

2. Heard Mr. Abhinav Srivastava, learned counsel for the appellant and Mr. Rakesh Ambastha, learned A.C. to A.A.G. 7 for the State.

3. The present application has been filed seeking modification of the order dated 09.10.2018, passed in L.P.A. No. 90 of 2018, non compliance of which has led to the dismissal of the appeal.

4. Learned counsel for the appellant submitted that the order dated 09.10.2018 required the appellant to remove the defects within three weeks but unfortunately the same could not



be done within the period specified but later on, the same has been done on 18.02.2019 by filing an Interlocutory Application seeking condonation of delay.

5. Having considered the matter, the Court is inclined to allow the prayer.

6. Accordingly, the order dated 09.10.2018 passed in L.P.A. No. 90 of 2018 stands modified to the extent that the date for removing the defects is extended to 18.02.2019.

7. In such view of the defects having been removed by that day the order would be deemed to have been complied with.

8. As a consequence L.P.A. No. 90 of 2018 stands restored to its original file and number.

9. The application stands disposed of.

(Ahsanuddin Amanullah, J)

(Sunil Dutta Mishra, J)

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