

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.217 of 2021

In
Civil Writ Jurisdiction Case No.21234 of 2013

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Rajeshwar Prasad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 26-04-2022 Heard learned counsels for the parties.

In the instant MJC petition, petitioner has prayed for
following reliefs:-

“That this modification
application is being filed on behalf of the
above named petitioner to modified the
order dated 19.04.2016 passed in C.W.J.C.
No. 21234/2013 by Hon’ble Mr. Justice Dr.
Ravi Ranjan to the extent to extend further
ten days time to filing the supply appeal
against the order dated 22.8.2013 by S.D.O.
Sherghati.”

Petitioner had cause of action in the month of May
2016. There is delay of nearly four years in presenting the
present petition.

Reasons for delay is stated in para 6 which reads as
under:-

“That petitioner after filing the
case several time contact with the



advocate clerk of his counsel who informed him that the case is pending.”

Aforesaid reason to condone the delay is not sufficient since it is very vaguely stated that petitioner has called several times the concerned Advocate clerks. In the absence of necessary materials like dates and events delay of four years cannot be condoned.

Accordingly, the present MJC petition stands dismissed.

(P. B. Bajanthri, J)

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