

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2271 of 2022

In
Civil Writ Jurisdiction Case No.1561 of 2021

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Amrish Kumar Son of Ram Babu Singh Resident of Flat No. 403, Royal Residency, Mainpura, Gate No. 45, Patna G.P.O., District-Patna-800001, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
3. The Joint Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
4. The Inspector Genral of Registration, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
5. The Assistant Inspector General of Registration, Registration, Excise and Prohibition Department, Government of Bihar, Patna.
6. The Assistant, Inspector General of Registration, Patna Division, Patna.
7. The District Magistrate-Cum-District Registrar, Patna.
8. The District Sub-Registrar, Patna.
9. The Sub-Registrar, Vikram, Patna.
10. The Circle Officer, Naubatpur, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pratik Kumar Sinha
For the Opposite Party/s : Mr.S. Raza Ahmad (Aag 5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-11-2022 The defects, as pointed out by the registry,
are ignored.

The present petition has been filed for
modifying the order dated 10.8.2022 passed in
CWJC No. 1561 of 2021 to the extent that the time



granted to the petitioner to file appeal be extended by a further period of two weeks from today.

The learned counsel for the petitioner submits that though the petitioner had appeared before the office of the Appellate Authority and filed the appeal in question, however, the office of the Appellate Authority refused to accept the appeal for want of synopsis and list of dates, hence, the petitioner had prepared the same and again approached the Appellate Authority after one day, but he was told by the office of the Appellate Authority i.e. the office of the Commissioner, Patna Division, Patna that the period prescribed for filing the appeal, by this Court, has already expired. It is submitted that on account of inadvertence, the petitioner has been precluded from filing the appeal rather his appeal has not been accepted on account of expiry of the period prescribed by this Court, for filing the appeal, hence a sympathetic view be taken.

The learned counsel for the Respondent-State submits that in case, the petitioner files



appeal within a period of four weeks from today, the same shall be entertained, in case this Court directs.

Having regard to the facts and circumstances of the case, considering equities and in the interest of justice, I deem it fit and proper to dispose of the present petition by modifying the order dated 10.8.2022 passed in CWJC No. 1561 of 2021 to the extent that the petitioner shall now be at liberty to file appeal within a period of four weeks from today. The rest of the order dated 10.8.2022 passed in CWJC No. 1561 of 2021 shall remain the same, as it is.

The petition stands disposed of with the aforesaid modification in the order dated 10.8.2022 passed in CWJC No. 1561 of 2021.

(Mohit Kumar Shah, J)

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