

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.77 of 2023

In
Civil Writ Jurisdiction Case No.13220 of 2021

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Gyanendra Kumar @ Laxuman Rai Son of Briksh Singh resident of Village-
Chawari, P.O. and P.S.- Kochas, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Rohtas at Sasaram
2. The Sudhir Ranjan Ra Son of Bikrama Rai Resident of Village- Chawari,
P.O. and P.S.- Kochas, District- Rohtas.
3. Most. Dhanpurna Kuer Widow of Late Ram Vyash Rai Resident of Village-
Chawari, P.O. and P.S.- Kochas, District- Rohtas.
4. Kusum Devi D/o Late Ram Vyash Rai and Wife of Kamla Singh Resident of
Village- Chawari, P.O. and P.S.- Kochas, District- Rohtas., at presently
resident of Village- Samhuta, P.S.- Mohania, District- Kaimur.
5. Ram Pratap Singh Son of Late Hridya Narayan Singh Resident of Village-
Chawari, P.O. and P.S.- Kochas, District- Rohtas., at presently resident of
Village- Marah, P.O.- Sayadraja, Distt- Chandouli (U.P.).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhouri Vipin Bihari Shrivastava, Advocate
For the Opposite Party/s : Mr.Raj Kishore Roy (Gp18)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-05-2023 The present petition has been filed for restoration of

a writ petition bearing CWJC No.13220 of 2021, which has

stood dismissed on account of non-compliance of the

peremptory order dated 24.11.2022.

The learned counsel for the petitioner has submitted
that on account of certain personal difficulties, the requisites for
issuance of notice to the opposite parties no. 2 to 5 were filed
after some delay, i.e. on 22.12.2022, hence the aforesaid writ



petition was dismissed for default. The learned counsel for the petitioner has further submitted that since the aforesaid order dated 24.11.2022 has already stood complied with, a sympathetic view be taken and the aforesaid writ petition be restored to its original file.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the averments made in the present petition, I deem it fit and appropriate to direct for restoration of the aforesaid writ petition bearing CWJC No.13220 of 2021 to its original file, subject to verification by the registry as to whether the aforesaid order dated 24.11.2022 has stood complied with or not.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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