

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.849 of 2019

In
Civil Writ Jurisdiction Case No.23766 of 2018

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Phulo Devi Wife of Lakhan Lal Mandal, Resident of Village Madanpur
(Shampur), P.S. Haveli Kharagpur (Shampur), Distt. Munger.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary, Department of Home Government of Bihar, Patna.
3. The Secretary, Department of Home, Government of Bihar, Patna.
4. The Principal Secretary, Mines and Geology Department, Govt. of Bihar, Patna.
5. The Director General of Police, Patna.
6. The District Magistrate, Munger.
7. The District Forest Officer, Munger.
8. The Superintendent of Police, Munger.
9. The Deputy Superintendent of Police, Kharagpur, Munger.
10. The Officer-in-Charge of Kharagpur Police Station distt.- Munger.
11. The Investigating Officer, Kharagpur, P.S. Case No. 234/12, Distt. Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr.Prabhat Kumar Verma (Aag3)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-06-2023 Heard the parties.

MJC No. 849 of 2019 has been preferred for restoring
the CWJC No.23766 of 2018, dismissed on 11.12.2018.

The writ petition was dismissed pursuant to the order
dated 11.12.2018 by which the court had granted time for
removal of defect failing which the application was to be



dismissed without further reference to the bench.

Although this MJC No.849 of 2019 was filed four years ago, upon query learned counsel for the petitioner submits that he has still not removed the defect. It is unfortunate that despite specific direction, he chose not to comply the order.

Although this is a fit case for dismissal of the restoration petition, considering the predicament of the petitioner who will ultimately suffer due to the attitude of the learned counsel, the petition is restored to its original file with a cost of Rs.2000/- to Patna High Court Legal Services Committee.

The petitioner is directed to comply the order dated 11.12.2018 in CWJC No. 23766 of 2018 within two weeks peremptory.

The MJC No. 849 of 2019 stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Prakash Narayan /-

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