

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2176 of 2023

In
COMPANY APPEAL(DB) No.1 of 2014

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Vridhishree Hotels Ltd. and another

... .. Petitioner/s

Versus

The High Court of Judicature at Patna and others

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Narayan, Advocate Mr. Amrednra Kumar, Advocate Mr. Ravi Bhushan, Advocate
For the Opposite Party/s	:	Mr. Gautam Kumar Kejriwal, Advocate Mr. Atal Bihari Pandey, Advocate Mr. Alok Kumar Jha, Advocate Mr. Mukind Kr. Advocate Mr. Ekta Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 10-11-2023 Company Appeal No. 1 of 2014 in Company Petition
No. 11 of 1998 was dismissed on 17.07.2023 for non-
prosecution resulted in filing MJC No. 2176, I.A. No. 1 of 2023
and I.A. No. 2 of 2023.

Re: I.A. No. 1 of 2023 and I.A. No. 2 of 2023

2. I.A. No. 1 of 2023 is to rectify certain errors stated
to have been committed in MJC No. 2176 of 2023. I.A. No. 1 of



2023 is not maintainable since MJC No. 2176 of 2023 was not existing as on the date of filing I.A. No. 1 of 2023 on 05.08.2023. Therefore, question of rectification of any pleadings in MJC No. 2176 of 2023 does not arise.

3. I.A. No. 2 of 2023 is for early hearing of MJC No. 2176 of 2023. With the consent of learned counsels for the respective parties, we have taken up MJC No. 2176 of 2023, therefore, no order is warranted in I.A. No. 2 of 2023.

MJC No. 2176 of 2023

4. Heard MJC No. 2176 of 2023.

5. Insofar as recalling the order dated 17.07.2023 passed in Company Appeal No. 1 of 2014 in Company Petition No. 11 of 1998, for the reasons stated in the application and affidavit, order dated 17.07.2023 passed in Company Appeal No. 1 of 2014 in Company Petition No. 11 of 1998 stands recalled while restoring Company Appeal No. 1 of 2014 on the file.

6. Registry is hereby directed to list Company Appeal No. 1 of 2014 before the Roster Bench.

7. MJC No. 2176 of 2023 is allowed subject to payment of cost of Rs. 5,000/- (Rupees Five Thousand) in the Patna High Court Legal Services Committee within a period of



eight weeks. Filing of any application in rectifying MJC is not warranted.

8. Accordingly, MJC No. 2176 of 2023 stands disposed of.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

GAURAV S./-

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