

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3169 of 2017

In
Letters Patent Appeal No.840 of 2014

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Vidyapati Paswan Son of Vijay Kumar Paswan, resident of Village-
Ghorsardapur, P.O- Chigree, P.S- Kusheswar Asthan, District- Darbhanga.

... .. Petitioner.

Versus

1. The State of Bihar through the Secretary, Home (Police), Government of Bihar, Patna.
2. The Director General- Cum- Inspector General of Police, Bihar, Patna.
3. The Central Selection Board through the Chairman, Patna (Bihar).
4. The Superintendent of Police (Railway), Muzaffarpur.

... .. Opposite Parties.

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Appearance :

For the Petitioner : Mr. Mani Bhushan Kumar, Advocate.
For the State : Mr. Sanjay Kumar Ghosarvey, AC to AAG-3.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

6 14-12-2023 Heard M.J.C. Petition No.3169 of 2017.

2. On 07.12.2023, the following order was passed:

“In MJC No.3169 of 2017 arising out of L.P.A. No.840 of 2014 while deciding on 04.12.2023 neither the counsel nor this Court has notice the order dated 10.02.2020 by which I.A. No.2180 of 2018 for condonation of delay in filing MJC No.3169 of 2017 was allowed. Therefore, the order dated 04.12.2023, stands recalled to hear MJC No.3169 of 2017 afresh.



2. Re-list this matter on 14.12.2023.”

3. In view of the above order, we have to pass orders on merit.

4. Having regard to the fact that the petitioner’s right would be affected and for no fault on his part, it is not appropriate to reject.

5. Accordingly, the present M.J.C. petition stands allowed.

6. Registry is hereby directed to restore L.P.A. No.840 of 2014 and list before the Roster Bench in the first week of January, 2024, subject to payment of cost of Rs.3000/-. Cost shall be remitted in the Patna High Court Legal Services Authority, Patna, within a period of three weeks from today.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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