

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2506 of 2022

In
Civil Writ Jurisdiction Case No.1218 of 2015

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Kamini Devi wife of Shri Devendra Tripathi, Resident of Village- Koiriya Tola, P.O. and PS Raxaul, District East Champaran, Permanent resident of Village Kuparpura, PO Dharampur Jaddu Chapra, P.S. Kati, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat Building, Patna.
2. The Secretary land Reforms and Revenue Department, Government of Bihar, New Secretariat, Patna.
3. The Chairman, Bihar Bhoodan Yagana Committee, Gardanibagh, Patna.
4. Secretary, District Bhoodan Committee, Motihari.
5. Smt. Nilu Singh W/o Parmeshwar Singh, R/o Village- Laukauriya, P.O. P.S. Ramghadwa, District- East Champaran.
6. Dharamsheela Devi W/o Shri Keshav Pandey, R/o Village- Laukauriya, P.O. P.S. Ramghadwa, District- East Champaran.
7. Sohan Mahto S/o Late Jai Mahto, R/o Village- Kanana, Anchal Raxaul, P.O. P.S. Raxaul, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Vardhan Narayan, Advocate
For the Opposite Party/s : Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 22-09-2023 Mr. Jai Vardhan Narayan, learned counsel representing the petitioner presses the present application for restoration of CWJC No. 1218 of 2015, which stood dismissed for non prosecution vide order dated 03.11.2017, passed by the learned Bench of this Court.

2. It is submitted that on account of inadvertence, the matter could not be marked, which resulted into dismissal on



account of non prosecution, though the petitioner was diligently pursuing her remedy. He next submits that if the writ petition would not be restored to its original file, the petitioner would be put to irreparable loss.

3. Considering the fact that the writ petition stood dismissed way back in the year 2017 and the present restoration has been filed after a delay of five years, this Court is not persuaded to accept the prayer of the petitioner and, as such, the present application stands rejected. However, the petitioner is at liberty to file a fresh writ petition, if still the cause survives.

4. Learned counsel for the State is also present.

(Harish Kumar, J)

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