

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2700 of 2022

In
Civil Writ Jurisdiction Case No.10116 of 2022

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Abhishek Kumar @ Abhishek Diwakar, Son of Late Dr. Shyam Lal Das,
Resident of Shyama Sadan at A/36, Alkapuri, Police Station - Gardanibagh,
District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Addl. Chief Secretary, Health Department, Bihar, Patna.
3. The Director-In-Chief, Health Services, Bihar, Patna.
4. The Civil Surgeon-cum-Chief Medical Officer, Motihari.
5. The Superintendent, Sadar, Hospital, Motihari.
6. The Deputy Superintendent Sadar, Hospital, Motihari.
7. The District Compassionate Committee through its Chairman, Motihari.
8. The District Magistrate, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Rana Ishwar Chandra, Advocate
For the State : Mr.Ravi Kumar, AC to G.P.-13

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 15-02-2023 The present M.J.C. application has been filed for restoration of CWJC No.10116 of 2022, which stood dismissed for non-compliance of the peremptory order dated 12.09.2022.

It is the specific case of the learned counsel for the petitioner that he had taken steps for removing the defects. In spite thereof, application stood dismissed for non-compliance.

In the circumstance, this Court had requisitioned a report from the learned Registrar General. The report indicates that the Stamp Reporter has wrongly reported that steps have



not been taken for removing the defects. The Stamp Reporter has stated that he could not comprehend the Circular (Annexure 12) annexed to the supplementary affidavit filed by the petitioner's counsel for removing the defects and therefore, on account of a misunderstanding of the Government circular, he had reported the matter to be still defective. The same was unintentional.

Considering the report and the above circumstances, this Court would find that sufficient cause is made out for restoration. Connected CWJC No.10116 of 2022 is restored to its original file.

MJC application stands allowed.

The office to proceed with the writ application accordingly.

(Madhuresh Prasad, J)

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