

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28998 of 2024

In
CRIMINAL REVISION No.638 of 2021

Arising Out of PS. Case No.- Year-0 Thana- District- East Champaran

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Chuman Sahani S/O Praduman Sahani R/O Village- Ward no. 9, Bahuari,
Post- Jhitkahiya, P.S- Lakhaura, Distt.- East Champaran.

... .. Petitioner

Versus

Aarti Kumari @ Arti D/O Chukan Sahani R/O Village- Bahuari, P.S-
Lakhaura, Distt.- East Champaran, Presently residing at Mohalla- Agarwa
Motihari, P.O- Motihari, P.S- Nagar Motihari, Distt.- East Champaran.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-04-2024 This is an application seeking restoration of Cr.

Revision No. 638 of 2021 which stood dismissed for non-

compliance of the order dated 22.11.2023 passed in Cr. Revision

No. 638 of 2021.

2. It appears from the order dated 22.11.2023 that this

Court granted learned counsel for the petitioner two weeks' time

as prayed to remove the defects. The order was peremptory and

because this order was not complied with, the revision

application stood dismissed.

3. Learned counsel for the petitioner submits that he

could not comply with the order because the original brief of the

revision petition had been misplaced by the petitioner. Now the



petitioner has obtained certified copy of the order dated 06.04.2021 passed in Maintenance Case No. 448 of 2018 and he is in a condition to remove the defects if the revision application is restored and the petitioner is given an opportunity to reconstruct the brief with fresh affidavit and certified copy of the impugned order and removing the defects.

4. Having regard to the kind of difficulty shown by the petitioner, this Court allows this application. Cr. Revision No. 638 of 2021 is restored to its original file. Petitioner shall take appropriate steps to reconstruct the brief with fresh affidavit and certified copy of the impugned order and remove the defects.

5. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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