

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1247 of 2008

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UNION OF INDIA THRU.THE CHIEF

... .. Petitioner/s

Versus

GIRIDHARI SINGH and ORS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	None
For the Opposite Party/s :	Mr.M.P. Dixit
	Mr. Sanjay Kumar Dixit
	Mr. Sanjay Kumar Chaubey
	Ms. Swastika
	Mr. Shailendra Kumar
	Mr. Milind Raj Dixit

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

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

Date : 02-07-2024

None appears for the petitioner.

2.The petitioner on behalf of Telecom BSNL presented this M.J.C. for restoration which is arising out of C.W.J.C. No. 10636 of 2005 and it was dismissed for non-compliance of certain orders/directions on 30th October, 2007 . Resultantly, the present M.J.C 1247 of 2008 has been filed. The petitioners are not serious in adjudicating the present matter as is evident from the dates and events even though the present M.J.C was filed in the year 2008. They are least bothered to get the matter listed after due compliance of office objection. They slept over the matter for about eight years for the reasons that on judicial side for the first time the matter was listed on 22.11.2016.

3. In fact, on 22.11.2016 the following order was



passed by the Co-ordinate Bench:-

“As prayed for, two weeks’ time is allowed to learned counsel for the petitioners to comply with the order dated 23.06.2014 of the Lawazima Board, failing which the application shall stand dismissed without further reference to a Bench.”

4. Thereafter on 27.03.2017 the following order was passed:-

“Issue notice to the respondents, for which requisites etc. under registered cover with A/D as well as ordinary process must be filed within one week.

Notice be made returnable within four weeks.”

5. Today, we have come across service of notice to Opposite Party No. 01 to 25 was ordered and it was validly served on Opposite party No. 7,9,15,18,14 and 25. Opposite Party No. 2,4,6,10,11,16 and 21 were served on the concerned respondent's family member in this regard jointness affidavit has not been filed. Opposite party No. 1, 8, 13 and 23 have died during pendency of the present litigation. Resultantly, the petitioners are required to file substitution petition. They are least bothered to take necessary steps. Further Opposite Party No. 3,5,12,14,17,19,20 and 22 are yet to be served and no fresh steps have been taken.

6. Taking note of these lapses on the part of the petitioners the present petition and so also not prosecuting the present case even though matter was called on two occasions. Therefore, the



present petition stands dismissed with a cost of Rs. 5000/-. Cost shall be remitted in Patna High Court Legal Services Committee within a period of four weeks.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

krishnakant/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.07.2024
Transmission Date	NA

