

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.864 of 2022

In
Letters Patent Appeal No.853 of 2019

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1. The State of Bihar through the Secretary, Forest and Environment Department, Government of Bihar, Sichai Bhawan, Patna.
 2. The Deputy Secretary, Forest and Environment Department, Government of Bihar, Sichai Bhavan, Patna.
 3. The Principal Chief Conservator of Forest, Bishwashwairaiya Bhavan, Bailey Road, Patna.
 4. The Chief Conservator of Forest, Government of Bihar, Science and Technology Bhawan, Bailey Road, Patna.
 5. The Director, Sanjai Gandhi Biological Park, Patna.

... .. Petitioner/s

Versus

1. Dina Nath Singh son of Shri Deo Nandan Singh, Resident of Village Sankharain, Post Office Hasaipur, P.S. Marhaura, Dist. Chhapra.
2. Anil Kumar Roy son of Shri Satya Narayan Roy, Resident of Village Narhan State, Post Office Bibhutipur, P.S. Bibhutipur, Dist. Samastipur.
3. Brahmdeo Prasad, Son of Shri Gulabchand Yadav, resident of Village Aliyachak, P.O. and P.S. Kako, Dist. Jehanabad.
4. Bhagwan Singh, Son of Shri Indradeo Singh, resident of Village and Post Office Sakhara, P.S. Rajpur, Dist. Rohtas at Sasaram.
5. Kailsh Raut, son of Shri Bhagelu Raut, resident of Village and Post Office Tinalten, P.S. Kaliganj, Dist. Bettiah.
6. Sushil Kumar, Son of Shri Laxmi Roy, Resident of Village Basari, P.S. Gaighat, Dist. Muzaffarpur.
7. Pasupati Singh, son of Shri Kapildeo Singh, resident of Village and Post Office Saraion, P.S. Sonapur, Dist. Chhapra.
8. Indradeo Singh, Son of Shri Harilal Singh, resident of Village Lakhibigha, P.O. Khagaul, P.S. Danapur, Dist. Patna.
9. Prahlad Ram, son of Shri Rajendra Prasad, Resident of Village Gosaitola, P.O. Dilipchak, P.s. Danapur Cantt., Dist. Patna.
10. Lakhichand Das, son of Shri Ranilal Das, Resident of Village Faradpura, P.O. Rampur, P.s. Naubatpur, Dist. Patna.
11. Ram Prasad Ram, son of Shri Rajballabh Ram, Resident of Village Pathar, P.O. Garhani, P.s. Charpokhari, Dist. Bhojpur.
12. Chalaki Roy, Son of Shri Kapildeo Roy, Resident of Village Balamichak, P.O. Anisabad, P.s. Gardanibagh, Dist. Patna.
13. Alakhnath Singh, son of Shri Ram Kewal Singh, Resident of Village Tetariyan, P.O. Dakshin Chakathan, P.s. Udwanthnagar, Dist. Bhojpur ar Arrah.



14. Gajadhar Ram, son of Shri Laldhari Ram, Resident of Village Ranipur, P.S. Phulwarisharif, Dist. Patna.
15. Anil Kumar Sinha, son of Shri Amareshwar Prasad, Resident of Village and P.O. Indore, P.S. Itarhi, Dist. Buxar.
16. Raudi Paswan, Son of Shri Chhedi Paswan, resident of Village Babahara, P.O. Nakati, P.S. Rajnagar, Dist. Madhubani.
17. Dasrath Pal, son of Shri Dwarika Pal, resident of Village Chatia Gopalpur, Dist. Begusarai.
18. Brij Lal Roy, son of Karu Bhagat, Resident of Village Ranipur, P.S. Phulwarisharif, Dist. Patna.
19. Awadhesh Singh, son of Shio Sharan Singh, Resident of Village Bahadurpur, P.S. Phulwarisharif, Dist. Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s : Mr.

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

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

5 22-03-2024 The present MJC is filed for restoration of LPA No. 853 of 2019, while recalling the order dated 14.11.2019 by which the aforementioned LPA was dismissed for non-prosecution.

Re:I.A. No. 1 of 2024

2. Heard I.A. No. 1 of 2024. There is a delay of about 5 months in presenting the MJC. For the reasons stated in application and affidavit, delay of 5 months in filing MJC is condoned. Accordingly, I.A. No. 1 of 2024 stands allowed.

MJC No. 864/2022



3. Perusal of the pleadings in the MJC, even though sufficient cause has not been shown. However, in the interest of litigant order dated 14.11.2019 passed in LPA No. 853 of 2019 stands recalled. Accordingly, the LPA No. 853 of 2019 stands restored on the file. Hence, MJC No. 864 of 2022 stands allowed.

4. Registry is hereby directed to list the LPA No. 853 of 2019, before the concerned Roster Bench, subject to payment of cost of Rs. 3000/- (Rupees Three Thousand Only). Petitioner shall remit cost in the Patna High Court Legal Services Committee within a period of four weeks' from today.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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