

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.199 of 2017

Md. Kalam Son of late Md. Shahim resident of Village- Maranchi English,
Police Station- Maranchi, District - Patna.

... .. Petitioner/s

Versus

1. Bibi Najma Khatoon and Ors Wife of Mohammad Serajuddin resident of Village- Maranchi English, Police Station- Maranchi, District - Patna.
2. Md. Ekram
3. Md. Allauddin
4. Md. Salam All Sons of late Md. Shahim
5. Most. Rakiba Khatoon Wife of late Md. Alam
6. Roksar Khatoon daughter of late Md. Alam
7. Noor Jahan
8. Shameha
9. Shah Jahan All daughter of late Md. Shahim all are residents of Village- Maranchi English, Police Station- Maranchi, District- Patna.
10. Md. Anwar Son of Late Md. Akbar @Akla
11. Jarina
12. Shahida both daughter of late Md. Akbar @Akla
13. Maimuna Wife of late Md. Akbar All are residents of Village- Dariyapur, Police Station- Hathidah, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate
For the Respondent/s : Mr. Ram Hriday Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 29-08-2024

Perused the records.

2. On 02.05.2024 the following order was passed:-

“Office report shows no document has been filed towards compliance of the order dated 25.04.2024.

2. However, learned counsel for the petitioner seeks further time of one week for bringing on record copy of original plaint and written statement.

3. As prayed, he is permitted to do so within one week, failing which this petition will be dismissed.

4. List the matter on 16.05.2024.”

3. Subsequently, on 09.05.2024 the following order



was passed:-

“The matter has been listed on mentioning being made on behalf of the petitioner on the ground that the petitioner was given time for a week for bringing on record copy of original plaint and written statement vide order dated 02.05.2024 which is a peremptory order.

2. Learned counsel for the petitioner submits that the petitioner has suffered paralytic attack and though the certified copy of original plaint and written statement have been procured but in absence of the petitioner the same could not be filed within the time limit which is ending today. Learned counsel prays for extension of time.

3. Prayer is allowed and time is extended till next date of hearing.

4. As prayed, list this matter on 18.07.2024.”

4. Office has reported that no document has been filed in terms of aforesaid orders.

5. Learned counsel appearing on behalf of the petitioner seeks further time of two weeks.

6. Already, the petitioner has been granted liberty by extending the time period in terms of orders dated 02.05.2024 and 09.05.2024. But there has been no compliance of the aforesaid orders and for non-compliance of the orders of this Court the petition stands dismissed.

(Arun Kumar Jha, J)

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