

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3102 of 2024

In
Civil Writ Jurisdiction Case No.2850 of 2018

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Mohammad Shafiuddin S/o Late Fashiuddin, Resident of Mirdaha Tola,
Barahpura, P.S.-Ishachak, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The Divisional Commissioner, Bhagalpur Division, Bhagalpur.
3. The Secretary to the Divisional Commissioner, Bhojpur Division, Bhagalpur.
4. The District Magistrate cum Collector, Bhagalpur.
5. The Senior Additional Collector, District Establishment Section, District Bhagalpur.
6. The Treasury Officer, Bhagalpur, District Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandrashekhar Sharma, Advocate
For the State : Mr. Mankeshwar Tiwari, AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-10-2024 MJC No. 3565 of 2023 was preferred by the

petitioner for restoration for CWJC No. 2850 of 2018 which

stood dismissed for non-prosecution on 18.09.2023.

2. During the pendency of the said restoration petition
filed through Md. Anisur Rahman, another restoration petition
was filed through Mr. Chandrashekhar Sharma bearing MJC No.
3102 of 2024.

3. Office detected the two restoration petitions for the
restoration of the same writ petition and accordingly submitted



its report.

4. A perusal of the both petitions would show that while the petition preferred by Md. Anisur Rahman has been registered on 13.12.2023, the second petition filed through the office of Mr. Chandrashekhar Sharma is dated 04.09.2024. Clearly, the second petition has been filed nine months later.

5. Accordingly, the same is dismissed with a cost of Rs.2,000/- to be deposited with the Patna High Court Legal Services Committee by 24.10.2024 (Thursday) and receipt has to be filed in the office.

(Rajiv Roy, J)

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