

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2552 of 2022

In
Miscellaneous Appeal No.417 of 2012

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Md. Khurshid Ahmad Son of Late Abdul Wakil, resident of Village Kormathu,
P.O. Shyam Nagar Neema, P.S. Amas. Dist. Gaya.

... .. Petitioner/s

Versus

1. Divisional Manager, The Oriental Insurance Company Ltd. 2nd Floor, R.J. Place, Rai Kashinath More, Gandhi Maidan, P.S. and Dist. Gaya.
2. Dhaneshwari Devi, Wife of Late Babu Lal Yadav, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.
3. Suman Kumari D/o Late Babu Lal Yadav, under the guardianship of her mother natural guardian Dhaneshwari Devi, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.
4. Sunita Kumar, D/o Late Babu Lal Yadav, under the guardianship of her mother natural guardian Dhaneshwari Devi, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.
5. Anand Kumar, Son of Late Babu Lal Yadav, under the guardianship of his mother natural guardian Dhaneshwari Devi, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.
6. Parmanand Kumar, son of Late Babu Lal Yadav, under the guardianship of his mother natural guardian Dhaneshwari Devi, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.
7. Puniya Devi, W/o Jitan Yadav, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.
8. Jitan Yadav, S/o Late Jageshwar Yadav, resident of Village Kormathu, P.O. Shyam Nagar, Neema, P.S. Amas. Dist. Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar
For the Opposite Party/s : Mr.Durgesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-07-2024 Heard the parties.

2. The present application has been preferred for restoration of M.A. No. 417 of 2012 which was dismissed for non-compliance of peremptory order dated 14.5.2014.



3. On 14.05.2014, a coordinate bench passed the following order in M.A. No. 417 of 2012:

“Time till two weeks after annual vacation is allowed to ascertain as to whether the award has been prepared, if prepared to file the same.

In the meantime, the statutory amount will be deposited, failing which this appeal shall stand dismissed without further reference to a Bench”.

4. As the same was not complied, it stood rejected on 30.6.2014 and there is nothing on record to show whether the amount was ever deposited or not.

5. The peremptory order was passed in the year 2014 and eight years later, the present petition without any information of depositing the statutory amount.

6. In that background, the MJC No. 2552 of 2022 is rejected.

(Rajiv Roy, J)

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