

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3397 of 2018
In
Letters Patent Appeal No.130 of 2007

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The State Of Bihar and Anr

... .. Petitioner/s

Versus

Vivekanand Prasad and Ors

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Sahay Jamuar Ac To Aag 4

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)

3 30-09-2024

The present MJC No. 3397 of 2018 is filed to recall the order dated 17.06.2013 passed in LPA No. 130 of 2007 arising out of CWJC No. 3177 of 2004. There is no explanation regarding delay of about 5 years in filing the present MJC. It is a State of Bihar petition. Advocate on record appeared on behalf of the State as well as officials have not taken seriousness of the dismissal for non-prosecution order dated 17.06.2013 passed in LPA No. 130 of 2007 for about 5 years. Therefore, it is not a fit case for restoration of LPA No. 130 of 2007.

2. Accordingly, the present MJC No. 3397 of 2018 stands dismissed.

3. Forward copy of this order to the Chief Secretary, State of Bihar for information and to take necessary decision to



avoid in future case, if any.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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