

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.98 of 2024

In
Civil Writ Jurisdiction Case No.1267 of 2022

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Subhash Chandra @ Pintu Son of Ram Naresh Yadav, Resident of Mohalla-
Bakarganj Abhandra, P.O. and P.S.- Laheriasarai, District- Darbhanga, Pin
Code- 846001 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Law,
Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government
of Bihar, Patna.
3. The Registrar, Civil Court, Darbhanga, Bihar.
4. The Accountant, Civil Court, Darbhanga, Bihar.
5. Amirika Devi , Daughter of Late Sitaram Yadav, Resident of House No. R2-
99, Maksudabad Colony, Nazafgarh, Delhi, Pin Code- 110043 (Bihar).
6. Mamta Devi, Daughter of Late Sitaram Yadav, Resident of House No. R2-
99, Maksudabad Colony, Nazafgarh, Delhi, Pin Code- 110043 (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek
For the Opposite Party/s : Government Advocate 7

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This is an application seeking restoration of CWJC
No. 1267/2022 to its original file which has been dismissed due
to non compliance of order dated 26.04.2023 passed by this
Court.

3. Learned counsel for the petitioner has pointed out
from the statement made in the application that the dismissal of



the writ application was wrong. It is submitted that the petitioner had already confined the prayer made in the writ application and the defect has been removed within the time. But subsequently, the office has raised the objection regarding obtaining permission for changing the subject matter. No further defect was pointed out and no peremptory order was made for this purpose. Therefore, the dismissal of the writ application saying that it is for non compliance of order dated 26.04.2023 is not correct.

4. There is no opposition to this application.

5. Having regards to the statements made in the application, there being no laches on the part of the petitioner, this application is allowed. CWJC No. 1267/2022 is restored to its original file.

(Rajeev Ranjan Prasad, J)

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