

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.604 of 2025

In

Miscellaneous Jurisdiction Case No.206 of 2024

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Kishori Mahato Son of Late Hira Lal, Resident of Village Mohani Khurd, P.S. Supi, District- Sitamarhi. at present Jai Prakash Nagar, P.O. G.P.O, PS. Jakanpur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary namely Anand Kihore Housing and Urban Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Patna Municipal Corporation Housing and Urban Development, Govt. of Bihar, Patna
3. The Commissioner, Patna Municipal Corporation, namely Animesh Kumar Prasar Budha Marg, Patna.
4. Prabhat Ranjan, The Executive Officer, New Capital Circle, Patna Municipal Corporation, Harding Road, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the P.M.C.	:	Mr. Prasoon Sinha, Sr. Adv.
		Mr. Prabhat Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 04-04-2025 Heard Learned Counsel for the petitioner, Learned Counsel for the State and Learned Counsel for the Patna Municipal Corporation.

2. Learned Counsel for the petitioner submits that the Misc. Jurisdiction Case No. 206 of 2024 was dismissed due to non-prosecution on 09.08.2024. Counsel further submits that he could not appear on 09.08.2024. Counsel further submits that he had instructed another counsel to handle the case, however, the said counsel did not appear, which resulted in the dismissal of



the case.

3. It transpires to this Court that order dated 09.08.2024, is not the order of dismissal, rather by the said order four weeks' peremptory time was granted to counsel for the petitioner to remove the defect/s, as pointed by the Stamp Reporter and when the defect/s was not removed within the stipulated time then this case was dismissed.

4. As such, it transpires to this Court that Counsel for the petitioner argued wrongly, but in the interest of justice the MJC No. 206 of 2024 is restored to its original file, subject to the payment of Rs. 500/- (Rupees Five Hundred) by the Counsel for the petitioner to the Patna High Court Legal Service Committee. It is hereby directed to Counsel for the petitioner that he shall not commit such mistake in future.

5. Accordingly, the present MJC No. 604 of 2025 is hereby allowed.

(Dr. Anshuman, J)

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