

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1498 of 2023

In
Miscellaneous Jurisdiction Case No.3659 of 2017

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1. Chandra Kala Devi, Wife of Late Sahindra Sah Resident of village Banchauri, P.S.- Dumara, Dist.- Sitamarhi.
 2. Rakesh Ranjan, Son of Late Sahindra Sah Resident of village Banchauri, P.S.- Dumara, Dist.- Sitamarhi.
 3. Rajeev Ranjan, Son of Late Sahindra Sah Resident of village Banchauri, P.S.- Dumara, Dist.- Sitamarhi.
 4. Kumari Poonam, Daughter of Late Sahindra Sah Resident of village Banchauri, P.S.- Dumara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Food Secretary, Government of Bihar, Patna.
3. The Bihar State Food and Civil Supplies Corporation Ltd. through its Managing Director.
4. Sri S.N. Dubey, Father's name not known to the petitioner the Managing Director, Bihar State Food and Civil Supplies Corporation Ltd. Patna.
5. Sri. Ramadagni Tiwari, Father's name not known to the petitioner the Chief Administrator cum Inquiry Officer, Bihar State Food and Civil Supplies Corporation Ltd. Patna.
6. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd. Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vaidehi Raman Prasad Singh, Sr. Advocate
For the Opposite Party/s:	Mr. S. Raza Ahmad, AAG-5
	Mr. Alok Ranjan, AC to AAG-5
	Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)



3 12-02-2025 Present M.J.C. is filed for recalling the order dated 26.10.2018 passed in M.J.C. No. 3659 of 2017. In M.J.C. No. 3659 of 2017, petitioners have sought for modification of the order dated 31.10.2017 passed in L.P.A. No. 1729 of 2012 and it was dismissed in not removing the office defects on 26.10.2018, hence the present M.J.C. to recall order dated 26.10.2018 passed in M.J.C. No. 3659 of 2017 and restore M.J.C. No. 3659 of 2017.

2. Perusal of the records, it is evident that there is a delay of about four years and above. No explanation has been provided. However, perusal of order dated 26.10.2018 due to lapse on the part of the Advocate on record, petitioners have to suffer, therefore, in the interest of petitioners, the aforementioned delay stands condoned while allowing the present M.J.C. No. 1498 of 2023 in restoring M.J.C. No. 3659 of 2017 on the file.

3. Registry is hereby directed to list M.J.C. 3659 of 2017 before the concerned roster Bench at the earliest.

4. The present M.J.C. No. 1498 of 2023 is allowed with cost of Rs. 5000/- (Rs. Five thousand). Cost shall be remitted in the Lawyers' Association Welfare Benevolent Fund, Patna bearing Account No. 7801893276, IFSC Code –



IDIB0001501, within a period of four weeks from today.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

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