

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2531 of 2025

In
Miscellaneous Jurisdiction Case No.92 of 2017

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Nawal Kishore Prasad Son of Late Mithila Saran Singh, Resident of Mohalla-Sheikhpura, P.S.- Hawai Adda, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. Subodh Kumar Singh @ Chotan Singh Son of Late Sita Saran Singh, Resident of Mohalla- Sheikhpura, P.S.- Hawai Adda, District- Patna.
2. Ashok Singh Son of Late Sita Saran Singh, Resident of Mohalla-Sheikhpura, P.S.- Hawai Adda, District- Patna.
3. Manoj Kumar @ Manoj Son of Late Sita Saran Singh, Resident of Mohalla-Sheikhpura, P.S.- Hawai Adda, District- Patna.
4. Mukesh Kumar Singh Son of Late Sita Saran Singh, Resident of Mohalla-Sheikhpura, P.S.- Hawai Adda, District- Patna.
5. Gullu Singh @ Rakesh Singh Son of Late Sita Saran Singh, Resident of Mohalla- Sheikhpura, P.S.- Hawai Adda, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Radha Mohan Pandey, Advocate
Mr.Ram Ishwar Prasad, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-09-2025 This application has been filed for restoration of MJC No.92 of 2017 which stood dismissed vide order dated 27.02.2019 on account of non appearance of the petitioner as also taking note of the fact that Restoration Application as well as the Interlocutory Application for condonation of delay has been filed after delay of 14 years without giving any valid and genuine reason.

2. Against the order afore-noted, the petitioner,



preferred L.P.A. No.440 of 2019, which also came to be dismissed reserving liberty to the appellant to invoke appropriate remedy in accordance with law. However, it was made clear that the time spent in the L.P.A. No.440 of 2019 could be condoned by the concerned judicial forum in light of section 14 of the Limitation Act. Taking shelter of the order passed by the learned Division Bench, the present Restoration Application has been filed.

3. Having gone through the averments made in the Restoration application, this Court does not find that the present Restoration application would sustain. The petitioner is at liberty to file appropriate application for modification/recall of the order dated 27.02.2019.

4. The present Restoration application stands dismissed with the aforesaid liberty.

(Harish Kumar, J)

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