

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4487 of 2024

In
Letters Patent Appeal No.1207 of 2023

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1. Md Shoaib Anwar @ Md. Shoeb Anwer Son of Rayazuddin, Resident of Village- Kakurwa Basti, Ward No. 29, Araria, Forbesganj, District- Araria (Bihar).
 2. Rajesh Kumar Yadav, Son of Sri Dayanand Yadav, Resident of Village - Bara, Ward no. 11, P.O. - R.T. Mohan, Rahikpur Thila Mohan, District - Ararha, Pin - 854311.
 3. Ranjan Kumar Singh, Son of Ram Karan Singh Resident of Kali Bazar, Ward No. 13, Distt. - Araria.
 4. Md. Harish, Son of Late Shekh Sattar Resident of Village - Rahikpur, Ward No. 1, P.O. - Araria, P.S.- Araria, Distt. Araria.
 5. Mukesh Kumar Rai @ Mukesh Kumar Ray, Son of Ram Sogarath Ray, Resident of Railway Singal Tola, Araria, Ward No. 6, Araria, Forbesganj, Distt.- Araria.
 6. Md. Bahrudin, Son of Late Majuddin, Resident of village - Sanchheli, Ward no. 01, P.O. - Chhationa, P.S. - Raniganj, Distt. - Araria.
 7. Abdul Rasid @ Abdur Rasheed, Son of Md. Ishaque, Resident of Village- Nijhehuma, Ward No. 10, P.O. - Ahilgaon, P.S. - Jalalgarh, Distt. - Purnea.
 8. Md. Inteshar Ansari @ Md. Intesar Ansari, Son of Md. Badi Ujjama Resident of Village- Khaira Basti, Haleem Tola, Ward No. 11, Araria, Distt. - Araria.
 9. Rakesh Kumar Jha, Son of Baidyanath Jha Resident of Village- Thekpura, P.O. - Hansa, P.S. - Raniganj, Distt. - Araria.
 10. Md. Zafar Alam, Son of Md. Badiujjama Resident of Near Haleem Tola, Village- Kharhiya Basti, Ward No. 11, Araria, Distt. Araria.
 11. Vivekanand Pandit, Son of Baleshwar Pandit, Resident of Marketing Yard, Om Nagar, Ward No. 8, Araria, Distt. - Araria.
 12. Jay Narayan Paswan, Son of Bhikari Paswan, resident of Madarganj, P.O. and P.S.- Simraha, Simraha, District - Araria.
 13. Sukrati Dharkar, Son of Utimlal Dharkar, Resident of village and P.O. - Madhulata, Ward No. 9, Bishunpur, Via- Meriganj, District- Araria.
 14. Subodh Chaudhary, Son of Ashok Chaudhary, Resident of Village- Phulwari, Ward no. 15, P.O. - Bhojpur, P.S. -Tarabari, District- Araria.
 15. Dharmendra Kumar Verma, Son of Late Pran Mohan Prasad, Resident of Ward No. 9, Opposite Marketing Yard, Shivpuri Araria, District- Araria.
 16. Shankar Kumar Yadav, Son of Mangal Yadav, Resident of Village- Aurahi (East), P.O. and P.S.- Simraha, District- Araria.
 17. Awinash Kumar Paswan, Son of Vidyanand Paswan, Resident of village - Aurahi, Ward no. 11, Navtoli, P.O. - Simraha, District - Araria.

... .. Petitioner/s



Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Chief Secretary Govt. of Bihar, Patna.
3. The Principal Secretary General and Administrative Department, Govt. of Bihar, Patna.
4. The Commissioner Purnia Division, Purnea.
5. The District Magistrate, Araria.
6. The Deputy Collector Establishment, Araria.
7. The Executive Engineer Building Division, Araria.
8. The Chief Engineer Irrigation Department, Araria.
9. The Rural Engineering Organization Works Division, Araria.
10. The District Welfare Officer Araria.
11. The District Education Officer, Araria.
12. The District Agriculture Officer Araria.
13. The District Fisheries Officer Araria.
14. The Executive Engineer Public Health Division, Araria.
15. The Executive Engineer Irrigation Division, Bathnaha, Araria.
16. The Executive Engineer Irrigation Division, Narpatganj, Araria.
17. The Executive Engineer Irrigation Division, Araria.
18. The Executive Engineer Road Construction Department, Road Pramandal, Araria.
19. The Executive Engineer Road Works Department, Work Division, Forbesganj, Araria.
20. The Forest Division Officer Forest Division, Araria.
21. The District Welfare Officer Araria.
22. The District Education Officer Araria.
23. The District Animal Husbandary Officer Araria.
24. The District Agriculture Officer Araria.
25. The District Fisheries Officer-Cum-Chief Executive Officer Araria.
26. Ramdeo Ram Son of Late Uttam Lal Ram Resident of Village - Doriyare, P.O. - Mirajpur, P.S. - Bounsi, Distt. - Araria.
27. Ranjit Ranjan Mishra, Son of Rakesh Ranjan Mishra, Resident of Village - Chitragupta Nagar, Ward No. 21, Distt. - Araria.
28. Kanhaiya Lal Jha, Son of Late Gaurishankar Jha, Resident of village - Adarsh Nagar, Ward No. 15, Araria, District- Araria.
29. Yashwant Kumar Paswan, Son of Fate Chand Paswan, Resident of Village Kupari, P.O. Permanandpur, P.S. - Raniganj, District- Araria.
30. Yashu Kumar Jha Son of Nagendra Nath Jha Resident of village and P.O. Bhadeshwar, Via- Bathnaha, District- Araria.
31. Deen Bandhu Singh, Son of Sita Ram Singh, Resident of village- Ramai,



P.S. - Farbisganj, Ward No. 15, Araria, District - Araria.

32. Shankar Jha, Son of Bindeshwar Jha, Resident of Village and P.O. - Kusikara, District - Araria.
33. Rupesh Kumar Jha, Son of Sri Kumar Nath Jha, Resident of Shivpuri, Ward No. 9, Araria, District - Araria.
34. Subhash Kumar Jha, Son of Gauri Shankar Jha, Resident of Village- Adarsh Nagar, Ward No. 15, P.O. - Araria, District - Araria.
35. Suchit Narayan Mandal, Son of Fateh Chand Mahdan, Resident of Village Kharhat, P.O. - Gidwas, P.S. - Raniganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manini Jaiswal, Advocate
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 20-02-2025 1. The present petition has been filed for restoration of an appeal bearing L.P.A. No.1207 of 2023, which has stood dismissed for default, on account of non-compliance of the peremptory order dated 12.07.2024.

2. The learned counsel for the petitioners submits that the peremptory order dated 12.07.2024 has though been complied with and all the defects have been cured, however, a delay of 2 days had taken place, leading to dismissal of the aforesaid appeal for default, hence a sympathetic view be taken and the aforesaid appeal be restored to its original file.

3. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel



for the petitioners herein and considering the submissions made in the present petition, we deem it fit and proper to direct for restoration of the aforesaid appeal, bearing L.P.A. No.1207 of 2023 to its original file, however, subject to the registry verifying as to whether the defects pointed out by the registry have stood cured or not.

4. Accordingly, the present petition stands disposed off.

(Mohit Kumar Shah, J)

(Nani Tagia, J)

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