

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2753 of 2023

In
SECOND APPEAL No.519 of 1991

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Kiran Choudhary @ Kiran Devi Wife of Bhairab Nath Choudhary, permanent Resident of Village- Pothia, P.S. - Sanhaula, District - Bhagalpur, previously residing at Kumardhubi, Nirsa cum Chirkunda, P.S. - Nirsa, District - Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through Collector Bhagalpur.
2. Bijoy Krishna Thakur, Son of Ganesh Thakur, Resident of Village - Sarbhanga, P.S.- Mahgama, District - Godda, Jharkhand(Now District - Godda, Jharkhand)
3. Sudhansu Kumar Choudhary, Son of Digambar Kumar Choudhary, Resident of Village- Pothia, P.S.- Sanhaula, District - Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Jha, Advocate.
For the State	:	Mr. Kameshwar Prasad Gupta, GP-10. Ms. Deepanjali Gupta, AC to GP-10.
For the O.P. Nos.2 & 3	:	Mr. Dharendra Nath Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

16 03-04-2026 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party nos.2 & 3.

2. This application has been filed for restoration of Second Appeal No.519 of 1991, which stood dismissed due to non-prosecution on 17.10.2022.

3. Learned counsel for the petitioner submits that he has already made payment of the cost to the opposite party nos.2 & 3 and learned counsel for the opposite party nos.2 & 3 had



conceded that he had received the payment of cost.

4. Learned counsel for the State and learned counsel for the opposite party nos.2 & 3 have no objection to this petition.

5. The reasons stated in the restoration application and the submissions made in support thereof are sufficient to allow the application.

6. In view of the submission of the learned counsel for the parties and considering the averments made in the application, the instant application is allowed and the Second Appeal No.519 of 1991 is restored to its original file.

7. This Application is, accordingly, disposed of.

(Sunil Dutta Mishra, J)

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