

IN THE HIGH COURT OF JUDICATURE AT PATNA

MJC No.3008 of 2006

1. RATNESH KUMAR SINHA,
 2. Ramesh Kumar Sinha,
- Both are sons of late Nand Kishore Prasad,
r/o. Mohalla- Bari Kothi, Lallu Babu K Kucha,
P.O. Begampur, P.S. Chowk, Patna.

Versus

THE STATE OF BIHAR & ORS

Ref:- I.A. No.1959 of 2007

7 30.01.2009

I.A. No.1959 of 2007 is a petition under Section

5 of Limitation Act for condoning the delay of two years
and two months in filing of this M.J.C.

On hearing the learned counsel for the
petitioners/appellants and on consideration of the grounds
given in the petition the delay is condoned but with a
condition precedent that the petitioners shall deposit a sum
of Rs.500/- to the Patna High Court Legal Services
Committee within one week. After condoning the delay
this M.J.C. application which is for restoration of M.J.C.
No.1647 of 2003 which itself was a restoration application
for L.P.A. No.1278 of 2002 which stood dismissed on
01.08.2003 on account of non-prosecution of the L.P.A. as
well as the limitation petition filed in the L.P.A, was
heard.

Upon hearing the learned counsel for the

appellants and on consideration of the grounds as set forth in the application, this restoration application is allowed. The M.J.C. No.1647 of 2003 will stand restored to its original file. It is hereby clarified that the process of restoration will be taken up only after a deposit of Rs.500/- in the Patna High Court Legal Aid Services Committee within a week.

(C.M. Prasad, J.)

(V.N. Sinha, J.)

Mkr.

