

SLP(C)No. 1524 OF 2001

ITEM No.28

Court No. 9

SECTION XVII  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.1524/2001

(From the judgement and order dated 06/07/2000 in LPA 352/2000  
of The HIGH COURT OF PATNA)

STATE OF BIHAR & ORS.

Petitioner (s)

VERSUS

SHIV NATH MANJHI

Respondent (s)

Date : 13/07/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI  
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s) Mr. Sunita R.Singh,Adv.  
Mr. B.B. Singh,Adv.

For Respondent (s) Mr.Krishna Prasad,Adv.  
Mr. N.S. Bisht,Adv.

UPON hearing counsel the Court made the following  
O R D E R

.....L....I.....T.....T.....T.....T.....T.....J.....J  
.SP2

Leave is granted.  
The appeal is allowed in terms of the signed order.  
No costs.

.SP1

[Naresh Kumar]  
Court Master

[Kanwal Singh]  
Court Master

[Signed order is placed on the file.]

.PA  
.UP 10 2; Fixed-pitch, smtst; -n -ml4 -PA4 -dFX-NORMAL -Fx -e -j; dumbp  
L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R  
...L....I....T.....T.....T.....T.....T.....T.....J.....R

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4143 OF 2001@@

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[Arising out of SLP(C) No.1524/2001]

The State of Bihar & Ors. ... Appellants

vs.

Shiv Nath Manjhi ... Respondent

O R D E R@@  
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.SP2

Leave is granted.

This appeal is directed against the order of the Division Bench of the High Court of Judicature at Patna in L.P.A. No.352/2000 dated July 6, 2000 declining to condone the delay of 73 days in filing the L.P.A.

Heard the learned counsel for the parties and perused the application filed in L.P.A.No.352/2000 for condoning the delay of 73 days. A perusal of the averments in the said application, in our view, makes out sufficient cause for condoning the delay. We, therefore, set aside the order under challenge, condone the delay in filing L.P.A. No.352/2000 and restore the same to the file of the High Court. The High Court shall now decide the L.P.A. on merits. The appeal is accordingly allowed. No costs.

.SP1

.....J.  
[ SYED SHAH MOHAMMED QUADRI ]

New Delhi,  
July 13, 2001.@@  
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.....J.  
[ S.N. PHUKAN ]