

GAHC020005522024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
KOHIMA BENCH

Case No. : MC(C)/2/2024

SHRI KHRUCELHU VERO
PROCESS SERVER TO THE DISTRICT AND SESSIONS JUDGE
PHEK NAGALAND

VERSUS

THE STATE OF NAGALAND AND ANR
THROUGH THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
NAGALAND KOHIMA

2:THE PRINCIPAL SECRETARY
GOVT. OF NAGALAND
DEPT. OF LAW AND JUSTICE
NAGALAND KOHIM

Advocate for the Petitioner : KEZHOSANO KIKHI,

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE KAKHETO SEMA

ORDER

17.09.2024

Heard Ms. Kezhosano Kikhi, the learned counsel for the applicant/writ

petitioner.

The present application has been filed under Order 9 Rule 9 of the Civil Procedure Code, 1908 seeking for restoration of WP(C)/94/2023, which was dismissed by this Hon'ble Court by order dated 07.06.2024. The reason as to why the writ petition could not be prosecuted on the dates fixed by this Court has been explained in paragraph 4 to 8 of the application.

This Court has perused the application, more particularly the ground cited in paragraphs 4 to 8 of the application and it is discernible that the non-prosecution was on account of the injury/fracture suffered by the learned counsel for the petitioner in an accident and for which the learned counsel had to be under treatment and medication. This Court is accordingly of the view that the reasons cited for non prosecution of the writ petition on the dates fixed by the Court has been properly explained.

The order dated 07.06.2024 passed by this court is accordingly recalled and WP(C)/94/2023 is restored back to file.

IA disposed.

JUDGE

Comparing Assistant