

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1644 of 2016

Arising out of

Civil Writ Jurisdiction Case No. 1795 of 2015

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Ram Briksha Sah, son of late Govind Sah, R/O- Mirchaibari, Gerabari
Road, Near Harishankar Nayak School, P.S.- Katihar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Katihar.
3. The Assistant Labour Commissioner, Katihar.
4. The Labour Superintendent, Katihar.
5. The Labour Enforcement Officer, Katihar.
6. The District Certificate Officer cum District Minority Welfare Officer,
Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opp. Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 07-09-2016 Heard learned counsel for the parties.

The present application has been filed seeking recall of
the order dated 10.02.2016 by which CWJC No. 1795 of 2015 was
dismissed due to non-prosecution.

Learned counsel for the petitioner submits that due to
illness, he had not come to Court on 10.02.2016 and requested his
colleague to pray for adjournment in the matter. However, he
submits that in spite of the same, there was no representation on
his behalf before the Court leading to dismissal of the case. He

submits that there are no deliberate laches on his part.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, this Court finds that sufficient cause has been shown by learned counsel for the petitioner not having appeared on 10.02.2016 when CWJC No. 1795 of 2015 was dismissed for non-prosecution. Accordingly, the application stands allowed.

CWJC No. 1795 of 2015 stands restored to its original file and number.

(Ahsanuddin Amanullah, J)

Sujit/-

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