

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.364 of 2014

In
3 734 of 2013

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Keshav Kishroe Sinha, Age About 78 Years S/O Late Chandra Kishore Sinha Resident Of Village And P.O. Dharhara, District Vaishali, Retired Games Teacher, Muzaffarpur Institute Of Technology, Muzaffarpur, Patna.

.... Petitioner

Versus

1. The State Of Bihar Through The Secretary, Department Of Science And Technology, Government Of Bihar, Vikas Bhawan, Patna.
2. The Director, Department Of Science And Technology, Government Of Bihar, Vikas Bhawan, Patna.
3. The Principal, Muzaffarpur Institute Of Technology, Muzaffarpur.
4. Member Secretary, University Grant Commission, Bihar, Shah Zafar Marg, New Delhi-110002.
5. Secretry, All India Technical Education Council, New Delhi.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sri Sunil Kumar Singh

For the Respondent/s : Mr. Prabhakar Tekriwal

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

4 05-01-2016 Heard learned counsel for the petitioner and learned counsel for the State.

It is submitted by learned counsel for the petitioner that the order dated 02.01.2014 passed by this Court in LPA No.734 of 2013 was duly complied with within the time granted by serving copy of the memo of appeal in the office of the Advocate General, Bihar, Patna on 02.01.2014 itself. Original copy of the said notice showing receipt by the office of the Advocate General is

Annexure-1 to the restoration application. It is submitted that due to inadvertence, the acknowledgement of notice was not filed in the Registry and hence the case has been dismissed for default.

In view of the aforesaid facts and circumstances, it is directed that LPA No.734 of 2013 shall stand restored to its original file.

The restoration application is, accordingly, allowed.

(Ramesh Kumar Datta, J)

(Sudhir Singh, J)

B.Kr./-

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