

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4471 of 2014

In

Civil Writ Jurisdiction Case No. 13153 of 2006

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1. Bijay Shankar Singh S/o Late Dasrath Prasad Singh, resident of Village Bhowa Parwal, Police Station Rupauli, District Purnea, at present working as Instructor (Mechanical) Rajkiya Polytechnic, Purnea.
 2. Jaipal Prasad S/o Late Karu Singh, resident of Village Parmanandpur, Police Station Katri Sarai, District Nalanda at present working as Instructor (Automobile), Rajkiya Polytechnic, Purnea.
 3. Sant Lal Rajak S/o Late Huro Rajak, resident of Village Adrahen, Police Station Haveli Kharagpur, District Munger at present working as Instructor (Electrical) Rajkiya Polytechnic, Purnea.
 4. Suresh Ram S/o Late Hawaldar Ram, resident of Village Tehar, Police Station Marhaura, District Chapra at present working as Instructor, (Mechanical) Rajkiya Polytechnic, Purnea.
 5. Brajnandan Thakur S/o Late Ramanandan Thakur, resident of Village Barhter, Police Station Bihra, District Saharsa at present working as Instructor (Electrical), Rajkiya Polytechnic, Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Science and Technology Department, Government of Bihar, Patna.
3. The Director, Science and Technology Department, Government of Bihar, Patna.
4. The Principal, Rajkiya Polytechnic, Purnea.
5. All India Council for Technical Education through its Secretary, I.G. Sports Complex, I.P. Estate, New Delhi-110002.

.... Opposite Parties/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Advocate

For the Opp.Parties/s : None

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 14-12-2016 Heard the learned counsel appearing on behalf of the petitioners. However, none appears on behalf of the opposite parties.

The present MJC application has been filed for restoration of CWJC No. 13153 of 2006, which stood dismissed as against respondent nos. 4 and 5 on account of delayed compliance



of the Court's peremptory order dated 20.10.2014.

The learned counsel appearing on behalf of the petitioners submits that by the aforesaid order dated 20.10.2014, the aforesaid writ petition was admitted for hearing and notices were directed to be issued, in hearing matter, to the respondent nos. 4 and 5, on requisites etc. being filed within two weeks. The order dated 20.10.2014 was peremptory in nature. He further submits that on account of miscalculation, there was delay of few days in filing the requisites etc. in compliance of the order dated 20.10.2014. He next submits that the delay in compliance of the aforesaid order was not intentional; rather it occurred on account of miscalculation and misunderstanding of the peremptory order passed by this Court.

Taking into consideration the aforesaid submissions and the averments made in the present MJC application, the prayer for restoration is allowed. CWJC No. 13153 of 2006 is restored to its original file as against the respondent nos. 4 and 5.

Now, notices shall be issued by the office to the respondent nos. 4 and 5 in terms of the aforesaid order dated 20.10.2014.

The present MJC application stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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