

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.835 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 11683 of 2010

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Dilip Kumar Son of Shri Rajendra Rai, Resident of Village- Lohanipatti,
P.O. Malpur, district Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Member, District Education Employment Appellate Authority, Vaishali.
3. The District Superintendent of Education, Vaishali at Hajipur.
4. The Deputy Development Commissioner, Vaishali at Hajipur.
5. The Block Education Extension Officer, Patepur.
6. The Mukhiya, Gram Panchayat Raj, Bakar, P.O. Malpur, Anchal Patepur, District Vaishali.
7. The Secretary, Gram Panchayat Raj, Bakar, P.O. Malpur, Anchal Patepur, District Vaishali.
8. The Head Mistress Sangeeta Kumari, Wife of Shri Ashok Kumar Rai, Upgraded Middle School, Vishnupur, Kaiju, P.O. Malpur, District Vaishali.
9. Sanjeev Kumar, Son of Ashok Kumar Rai, Resident of Bakar, P.O. Ajijpur Chande, Anchal Patepur, District Vaishali.

.... Opp. 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

3 08-11-2017

Heard learned counsel for the petitioner and State.

2. Supplementary affidavit has been filed on behalf of the petitioner enclosing the order dated 28.02.2017 by which C.W.J.C. No. 11683 of 2010 stood dismissed for non-prosecution.

3. The present application has been filed seeking recall of the aforesaid order and restoring the original writ petition.

4. Learned counsel for the petitioner submitted that



the case being of the year 2010, due to inadvertence, could not be marked in the list and when the same was called out and taken up, there was none to press the writ petition.

5. Having considered the matter, the Court finds that sufficient cause has been shown for learned counsel for the petitioner not appearing on 28.02.2017 when C.W.J.C. No. 11683 of 2010 came to be dismissed for non-prosecution.

6. In view thereof, the order dated 28.02.2017 passed in C.W.J.C. No. 11683 of 2010 stands recalled and the writ petition stands restored to its original file and number, to be placed before the appropriate Bench.

6. The application stands allowed.

(Ahsanuddin Amanullah, J)

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