

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1607 of 2018

In
Letters Patent Appeal No.783 of 2017

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1. The Bihar State Construction Corporation Limited through its Managing Director at its Head Quarter at Khwaja Imli, Anishabad, Patna.
 2. The Secretary, Department of Water Resources-cum-Chairman, Bihar State Construction Corporation Limited.
 3. The Managing Director, Bihar State Construction Limited. Office at Khwaja Imli, Anishabad, Patna.
 4. The Secretary, Administration, Bihar, State Construction Corporation Limited, Office at Khwaja Imli, Anishabad, Patna.

... .. Petitioner/s

Versus

1. Binod Kumar Srivastava Son of Late Siyber Saran Srivastava at Present resident of C/o Alok Kumar Srivastava, Mohalla - Anandpuri Bibiganj, P.O.- M.I.T., P.S.-Brahmpura, District-Muzaffarpur (Bihar).
2. The State of Bihar through the Chief Secretary, Old Secretariat, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Harshvardhan Shivsundaram, Advocate
For the Respondent/s	:	Mr. Anjani Kumar (AAG- 4)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

- 2 20-07-2018 This application has been filed for restoration of L.P.A. No. 783 of 2017 which has been dismissed for want of prosecution on 01.05.2018. With regard to notice to Respondent No. 1 and hearing him, we find that the L.P.A. was filed and after removal of the defects and condonation of delay it came up for hearing on 01.05.2018 when it was dismissed. However, during all these period notice was never issued to Respondent No. 1 and at the stage of admission without notice to



Respondent No. 1, the Letters Patent Appeal was dismissed.

Keeping in view the aforesaid, no notice to Respondent No. 1 is necessary. Taking note of all these and the grounds which have been canvassed in this petition, this application is allowed. Letters Patent No. 783 of 2017 is restored to its original file.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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