

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.861 of 2017

In

Civil Writ Jurisdiction Case No. 15270 of 2016

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1. Fagu Sao @ Fagu Prasad, Son of Late Moti Sah, Resident of Bazar Samiti Road, Police Station- Buxar (Town), District- Buxar, (Owner of the M/s. Laxmi Rice Mills, Village- Akhauripur, Police Station- Chausa, District- Buxar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Labour Department, Government of Bihar, Patna.
3. Deputy Labour, Commissioner, Patna.
4. Kanhaiya Singh, son of Daroga Singh, resident of Village Bechan Purwa, P.O.- Akhauripur, P.S. Chausa, District- Buxar.
5. Arun Mishra, son of Sri Kant Mishra, Alka Cinema, Bazar Samiti Road, P.S.- Buxar (Town) District- Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Respondent/s : Mr. Ajay Kumar Rastogi - AAG 10

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 16-05-2018 Heard learned counsel for the parties.

This application is filed for restoration of C.W.J.C.No.15270 of 2016 in so far as it stands dismissed as against the respondent Nos.4 and 5. It is informed by the petitioner that vide order passed on 17.02.2017 this Court while issuing notice to the said respondents had directed the petitioner to file the requisites within one week and which period was peremptory in nature.

Learned counsel for the petitioner informs that the requisites were indeed filed in compliance of the order but with some delay



on 07.03.2017 which he prays for condonation.

Having heard learned counsel for the parties and considering the nature of default committed, let the period prescribed in the order dated 17.02.2017 passed in C.W.J.C.No.15270 of 2016 be extended until 07.03.2017 and since admittedly the requisites have been filed by the petitioner for service at the respondent Nos.4 and 5 as also reported by the office on the said date, the writ petition bearing C.W.J.C.No.15270 of 2016 would stand restored to its file as against the respondent Nos. 4 and 5.

Office would proceed for issuance of a notice accordingly.

This application is allowed.

(Jyoti Saran, J)

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