

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3571 of 2017

In
MA 346 of 2006

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The State of Bihar through Executive Engineer, Western Koshi Canal
Division Kunauli, District Supaul.

.... Petitioner/s

Versus

M/s Hardeo Singh, Son of Not known to the petitioner, resident of Village +
P.O. Bathnaha, District- Purnea.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Hari Shankar Roy

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

5 05-09-2018

Heard learned counsel for the petitioner.

This MJC application has been filed for readmission
of M.A. No. 346 of 2006 to its original file with the case that the
aforesaid appeal was fixed for hearing under the heading “Order
41 Rule 11 CPC” on 07.12.2017, but as the counsel for the
appellant was busy in some other court, he could not appear in the
case to seek adjournment. Accordingly the aforesaid appeal was
dismissed for non-prosecution on the said date. There has been no



intentional and deliberate latches on the part of the appellant in dismissal of the aforesaid appeal.

In the facts and circumstances of the case and in the interest of justice, M.A. No. 346 of 2006 is readmitted to its original file and accordingly this MJC application is allowed.

(Prakash Chandra Jaiswal, J)

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