

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 2295 of 2017
In
Civil Writ Jurisdiction Case No. 12769 of 2011

Prakash Raj

... .. Petitioner/s

Versus

The State of Bihar & Ors

... .. Opp. Party/s

Appearance :

For the Petitioner/s : Mr. Satya Nand Shukla
For the Opp. Party/s : AC to AAG 15

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 25-04-2018 Heard Shri Satya Nand Shukla, learned counsel for the petitioner and learned A.C. to Addl. Advocate General – 15.

The present petition has been filed with a prayer to restore C.W.J.C. No. 12769 of 2011, which stood dismissed due to non-compliance of peremptory order dated 31-03-2016.

Learned counsel for the petitioner submits that there was peremptory order for filing reply to the counter affidavit, which has already been filed, but fact remains that it was filed after expiry of peremptory period. The reason for belated filing has already been assigned, which is sufficient to persuade the Court to accept the same.

Accordingly, the restoration petition i.e. M.J.C. No. 2295 of 2017 is allowed and writ petition i.e. C.W.J.C. No. 12769 of 2011 is directed to be restored to its original file.

(Rakesh Kumar, J.)

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