

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4519 of 2018

In
Miscellaneous Appeal No.520 of 2015

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1. Ram Ratan Singh and Anr Son of Late Tengri Singh
 2. Smt. Lalti Devi Wife of Sri Ram Ratan Singh Both are resident of village-Gokhulpur, P.O.- Darwan, PS Kudra, Distt KaimurBihar

... .. Petitioner/s

Versus

The Union Of India, Through The General Manager, East Central Railway,
Hazipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Mohan Murari, Adv.
For the Opposite Party/s : Mr.Satyendra Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 06-03-2019 Heard learned counsel for the petitioner and learned
counsel for opposite party.

The petitioner has filed the aforesaid MJC application for restoration of M.A. No. 520 of 2015 to its original file, which was dismissed by this Court on 09.10.2018 for non-prosecution with the case that as the learned counsel for the petitioner could not turn up before the court due to his illness on 09.10.2018 at the time of call in the aforesaid appeal, the aforesaid appeal was dismissed for non-prosecution of the petitioner. There has been no intentional and deliberate laches and negligence on the part of the petitioner in dismissal of the aforesaid appeal.



Having regard to the facts and circumstances of the case and finding substance in the aforesaid petition, the aforesaid Miscellaneous Appeal No. 520 of 2015 is hereby restored to its original file.

Accordingly, this MJC application is allowed.

(Prakash Chandra Jaiswal, J)

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