

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.552 of 2018

In
Civil Writ Jurisdiction Case No.13961 of 2013

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1. Krishna Sah Son of Late Mithu Sah, Resident of Village- Bideshi Tola, Thawe, P.S.- Thawe, District- Gopalganj.
 2. Saleem Ansari @ Shalim Ansari, Son of Jumrati Ansari, Resident of Village- Thepha Purwanchal, P.S.- Jiradei, District- Siwan.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Chief Engineer, Bridge Construction, N.E. Railway, Gorakhpur.
3. The Deputy Chief Engineer, Bridge Construction, N.E. Railway, Gorakhpur.
4. The Assistant Executive Engineer, N.E. Railway, Gorakhpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner.

2. This application has been filed for restoration of CWJC No. 13961 of 2013 which stood dismissed for non-compliance of order dated 11.01.2018.

3. Learned counsel for the petitioners submits that owing to extenuating circumstances and reasons beyond his control the cost of Rs. 2,000/- directed to be paid in terms of order dated 11.01.2018 passed by the writ Court could not be deposited within the stipulated period of two weeks thereof, which has resulted in dismissal of the writ petition peremptorily. It is stated that the petitioner undertakes that the cost shall be deposited within two weeks from today.

4. In the above circumstances and for the reasons stated in the restoration petition the prayer for restoration is



allowed and CWJC No. 13961 of 2013 is restored to its original file with liberty to the petitioner to deposit the cost of Rs. 2,000/- as directed in the order dated 11.01.2018 aforesaid within a period of two weeks from today, failing which the writ petition shall stand dismissed without further reference to the Bench.

4. MJC No. 552 of 2018 stands disposed of.

(Vikash Jain, J)

Chandran/-

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