

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4520 of 2018

In
Miscellaneous Appeal No.458 of 2016

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Smt. Sunita Devi Wife of Late Babu Ram Choudhary Resident of village-
Naya Tola, Madhopur, P.O and P.S Bakhtiyarpur, Distt Patna Bihar

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Mohan Murari

For the Opposite Party/s : Mr. Anil Kumar Sinha

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**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. 458 of 2016 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. 458 of 2016 is hereby
restored to its original file.

Accordingly, this MJC application is allowed.

(Prakash Chandra Jaiswal, J)

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