

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.76 of 2018

In
Civil Writ Jurisdiction Case No.8862 of 2017

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Braj Bhushan Prasad Sinha, Son of Late Ambika Prasad Sinha, Resident of Mohalla-Jakkanpur New Area, P.S.--Jakkanpur District-Patna (Bihar). At Present-Executive Engineer (Suspended), office of the Regional Chief Engineer, Public Health Engineering Department, Muzaffapur Zone, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar. Through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. The Department Inquiry Commissioner, General Administrative Department, Government of Bihar, Patna.
3. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
4. The Additional Secretary, Public Health Engineering Department, Government of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Jha
For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 30-01-2019 Heard learned counsel for the petitioner. There is no representation on behalf of the State.

This application is filed for restoration of CWJC No.8862 of 2017 which has got dismissed for non-compliance of the peremptory order dated 03.07.2017 of this Court requiring the petitioner to remove the defects pointed out by the office.

It is reported that while the petitioner has filed an interlocutory application bearing I.A. No.5445 of 2017 on 28.07.2017 much before the expiry of the peremptory period for



explaining the defect no.1, in so far as the defect nos.2 and 4 are concerned, it is yet to be removed.

In the nature of defect nos.2 and 4 pointed out by office is concerned, the same is waived and since I.A. No.5445 of 2017 was filed by the petitioner to explain the defect no.1, let CWJC No.8862 of 2017 be restored to its original file and put up before the appropriate Bench as per roster.

This restoration application is allowed.

(Jyoti Saran, J)

Anjula/Skpathak

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