

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2603 of 2018

In
Civil Writ Jurisdiction Case No.1235 of 2016

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Md. Shahid Hussain son of Md. Shahabuddin resident of Village - Barta Bari,
P.S. Azamnagar, District - Katihar.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Co-operative Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Co-operative Department, Government of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Katihar.
5. The Joint Registrar, Co-operative Societies, Purnea Division, Purnea.
6. The District Co-operative Officer, Katihar.
7. The Sub-Divisional Audit Officer, Katihar, Dist. - Katihar.
8. The Katihar District , Central Co-operative Bank Ltd., Branch Salmari District Katihar, through its Managing Director.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Md. Musowir, Advocate
For the Opposite Party : Mr.Amit Prakash - Ga 13

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 07-08-2019 This application under Article 226 of the Constitution of India has been filed for restoration of CWJC No. 1235 of 2016, which stood dismissed for want of prosecution on 17.04.2018.

Learned counsel for the petitioner submitted that on 17.04.2018, he was at his native village in the district of Katihar due to serious illness of his mother and he had requested



his colleague to seek adjournment on the ground of illness of his mother, but he did not turn up when the case was called out as he was arguing a case in another court as a result of which the case stood dismissed for want of prosecution. He contended that there was no deliberate or willful laches on the part of the petitioner.

Having regard to the submissions made above, the restoration application is allowed.

CWJC No. 1235 of 2016 is restored to its original file.

(Ashwani Kumar Singh, J)

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