

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Appeal No.606 of 2009**

=====

D K Engineering & Construction Private Limited, through its authorized representative, Shailendra Kumar Jha, son of Sri Deokant Jha, Millennium Centre, Sevak Road, Siliguri, District Darjeeling, West Bengal

... .. Petitioner / Appellant/s

Versus

1. The Chairman, Bihar Rajya Pul Nirman Nigam Limited, 7, Sardar Patel Marg, Patna
2. The Managing Director, Bihar Rajya Pul Nirman Nigam Limited, 7, Sardar Patel Marg, Patna
3. The Senior Project Engineer, Road Division, Bihar Rajya Pul Nirman Nigam Limited, 7, Sardar Patel Marg, Patna
4. The Executive Engineer, National Highway Division, Madhepura, P.O. & District Madhepura

.... .... Opposite Parties / Respondents

=====

**Appearance :**

For the Appellant/s : None  
For the Res. No. 1 to 3 : Mr. Gautam Saha, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

9      04-04-2019              No one appears on behalf of the appellant. No one had appeared on 24.01.2019 when the case was called out for hearing.

Learned counsel for the respondent no. 1, 2 and 3 is appearing. Learned counsel was present on previous occasion also.

The record reveals that earlier this miscellaneous appeal was dismissed for default for non-compliance of peremptory order dated 02.03.2016. Thereafter, it was restored on the prayer of appellant.

In the aforesaid circumstance, this appeal is dismissed for non-prosecution.

**(Birendra Kumar, J)**

Kundan/Rajan

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

