

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.637 of 2017

In

Civil Writ Jurisdiction Case No.133 of 2017

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Ram Pravesh Singh @ R. P. Singh son of Late Babulal Singh, Resident of Village- Kuttubpur, P.O.- Lahsuna, P.S.- Punpun, District- Patna. at present residing at Manju Niwas, Sarswati Bihar, Ambedkar Path, Rukunpura, P.O. B.V. College, P.S.- Rupaspur, District- Patna.

... .. Petitioner

Versus

1. The General Manager, Railway, Chitranjan Locomotive Works, District Chittranjan, West Bengal.
2. The Chief Personnel Officer, Chitranjan Locomotive Works, Chittranjan, West Bengal.
3. The Senior Personnel Officer (Works)/E, Chittranjan Locomotive Works, Chittranjan, West Bengal.
4. The Deputy Chief Personnel Officer (West) and C.P.I.O., Chittranjan Locomotive Works, Chittranjan, West Bengal
5. The Chief Mechanical Engineer (Mfg.), Chittranjan Locomotive Works, Chittranjan, West Bengal.
6. The Deputy Chief Mechanical Engineer (Plant), Chittranjan Locomotive Works, Chittranjan, West Bengal
7. The Workshop Manager, T.P.T., Chittranjan Locomotive Works, Chittranjan, West Bengal.
8. The Workshop Manager (Plant-II), Chittranjan Locomotive Works, Chittranjan, West Bengal.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Mukul Prasad

For the Opposite Party/s : Mr.Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

and

HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

4 14-11-2019 This application has been filed by the petitioner for restoration of CWJC No. 133 of 2017, which stood dismissed for non-compliance of the peremptory order, dated 10.01.2017.

Learned Counsel for the petitioner submitted that the



petitioner took steps for removal of the defects on 16.01.2017, however, the defects were removed only partially due to inadvertence on the part of the Counsel for the petitioner. He contended that there is neither any willful nor any deliberate laches on the part of the petitioner and if the writ petition is not restored, the same would cause irreparable injury to the petitioner for no fault on his own.

Learned Counsel appearing for the opposite parties does not object the restoration application filed by the petitioner.

Regard being had to the submission made above, the application is allowed and CWJC No. 133 of 2017 is restored to its original file, subject to deposit of Rs. 1,000/- as cost before the Patna High Court Legal Services Committee within a period of two weeks from today by the petitioner. He shall also be required to fully comply with the order, dated 10.01.2017, passed in CWJC No. 133 of 2017 within two weeks from the date of restoration, failing which the writ petition shall stand dismissed once again.

(Ashwani Kumar Singh, J.)

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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