

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1163 of 2017**

**In**  
**Civil Writ Jurisdiction Case No.3326 of 2017**

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Lok Nath Singh S/o Late Musafir Gope, Resident of Mohalla- Bhawani Tola,  
P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resource Department, Government of Bihar, Patna.
2. The Chief Engineer, Water Resource Department, Government of Bihar, Patna.
3. The Executive Engineer, Tirhut Nahar Division No.- 1, Motihari.
4. The Accountant General, Bihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Pawan Kumar, Advocate  
For the Respondent/s : Mr.Anjani Kumar - AAG-4

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

4      02-01-2019                      Heard Learned counsel for the petitioner and learned  
counsel for the State.

This application has been filed by the petitioner for restoration of C.W.J.C. No.3326 of 2017 to its original file, which stood dismissed due to non-compliance of the peremptory order dated 03.03.2017.

Learned counsel for the petitioner submitted that the petitioner was vigilant and conscious of the fact that the defect, as pointed out, should be removed on or before 10.03.2017, that is, the last working day before holiday for Holi. However, due to inadvertence of the advocate clerk, the defect could not be



removed on or before 10.03.2017. He submitted that the mistake committed by the advocate clerk was neither deliberate nor willful. If the writ petition is not restored, the petitioner would suffer irreparable loss.

Learned counsel for the State does not oppose the application for restoration of the writ petition.

Considering the submissions made above, C.W.J.C. No.3326 of 2017 is directed to be restored to its original file.

**(Ashwani Kumar Singh, J)**

Md. S/-

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