

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5253 of 2019

In
Letters Patent Appeal No.1753 of 2017

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Kameshwar Mahto Son of Late Muneshwar Mahto Resident of Mohalla-
Kilaghat (Town- Darbhanga), Police Station- Town Darbhanga, District-
Darbhanga.

... .. Petitioner

Versus

1. The Bihar State Food and Civil Supplies Corporation Ltd. through the
Chairman cum Managing Director, Sone Bhawan, Beer Chand Patel Path,
Patna-1.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation
Ltd., Sone Bhawan, Beer Chand Patel Path, Patna-1.
3. The Chief of Finance, Bihar State Food and Civil Supplies Corporation Ltd.,
Sone Bhawan, Beer Chand Patel Path, Patna-1.
4. The Desk Padadhikari (Budget/Cell), Bihar State Food and Civil Supplies
Corporation Ltd., Sone Bhawan, Beer Chand Patel Path, Patna-1.
5. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd.,
District Office- Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Gajendra Kumar Jha, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

2 20-12-2019 Heard learned counsel for the petitioner and learned

counsel appearing for Bihar State Food and Civil Supplies

Corporation Ltd.

This application has been filed by the petitioner for
restoration of LPA No.1753 of 2017, which was dismissed on
28.11.2019 for want of prosecution.



It is submitted by the learned counsel for the petitioner that on 28.11.2019, unfortunately, younger brother of the counsel appearing for the petitioner succumbed to death in hospital at Delhi and, thus, he had to rush to Delhi. Due to said unavoidable and compelling circumstance, the case went unattended as a result of which the same was dismissed for want of prosecution.

Learned counsel appearing for Bihar State Food and Civil Supplies Corporation Ltd does not oppose the prayer for restoration of the letters patent appeal.

Considering the submissions made by the learned counsel for the petitioner, the application is allowed. LPA No.1753 of 2017 is restored to its original file.

Let the appeal be listed under the heading 'For Admission' before appropriate Bench.

(Ashwani Kumar Singh, J)

(Partha Sarthy, J)

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