

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.951 of 2018

In
Civil Writ Jurisdiction Case No.15727 of 2008

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Assistant Provident Fund Commissioner through Ajay Kumar, Employee
Provident Fund Organization Regional Office, R.Block, Patna, P.S.-
Sachiwalay, District- Patna.

... .. Petitioner

Versus

1. M/s Magadh Alluminium Industries through General Manager, at Khatangi
Kothi, Post Buniyadganj, District- Gaya
2. Presiding Officer, Employees Provident Fund Appellate Tribunal, New Delhi.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Sarva Deo Singh
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-02-2020 Heard learned counsel for the petitioner and learned
counsel for the opposite party no.1.

This application has been filed by the petitioner for
restoration of CWJC No. 15727 of 2008, which was dismissed
for want of prosecution vide order dated 20.03.2018.

It is submitted by the learned counsel for the
petitioner that on 20.03.2018 when the matter was called out the
counsel for the petitioner was busy arguing before another Court
as a result of which he could not attend the Court proceeding
and the writ petition got dismissed for want of prosecution. It is
further contended that there was no deliberate or intentional
default on the part of the petitioner.



Learned counsel for the opposite parties does not oppose the application preferred on behalf of the petitioner for restoration of the writ petition.

On the facts and in the circumstances of the case, the application is allowed. CWJC No. 15727 of 2008 is directed to be restored to its original file.

(Ashwani Kumar Singh, J)

Pradeep/-

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