

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2541 of 2019

In
Civil Writ Jurisdiction Case No.16706 of 2008

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Smt. Suman Devi W/o Shri Tuntun Thakur, Resident of Village Phulwariya
Briti, PS Lauria, Dist. W. Champaran Bettiah, at present working as sewika
Anganbari Kendra Phulwaria, Briti IV Centre No.180, in Langri Kaatoyan
Panchayat Block Laura, Dist. W. Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner cum Secretary to Govt. of Bihar, Department of Social Welfare ICDS, Directorate, Patna
3. The Director ICDS (Integrated Child Development Service) Office of Directorate, Patna
4. The District Welfare Officer, West Champaran, Bettiah.
5. The Child Development Project Officer, Block Lauria, Dist. W. Champaran, Bettiah

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta
For the Opposite Party/s : Mr. Gyan Prakash Ojha (GA-7)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-04-2021 The present petition has been filed for restoration of a writ petition bearing CWJC No. 16706 of 2008 which has stood dismissed on account of non-prosecution by an order dated 07.03.2017.

The learned counsel for the petitioner has referred to the averments made in the instant restoration petition, which though does not depict any cogent reason so as to warrant restoration of the aforesaid writ petition, but merely states that on account of non marking of the daily cause list properly, the learned



counsel for the petitioner could not appear before the court on 07.03.2017, when the matter was taken up for hearing, hence the same has been dismissed on account of non-prosecution.

This Court finds that earlier also the connected writ petition was dismissed on account of non-prosecution by an order dated 18.09.2015. Nonetheless, considering the facts and circumstances of the case and in the interest of justice, I deem it fit and proper to restore the connected writ petition i.e. CWJC No. 16706 of 2008 to its original file, however, subject to deposit of a sum of Rs. 2500/- with the Patna High Court Legal Aid Committee, within a period of eight weeks from today.

(Mohit Kumar Shah, J)

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