IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4807 of 2019
In
CIVIL REVIEW No.33 of 2019

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Hari Kant Thakur, Son of Late Jokhe Lal Thakur, Resident of Village-Tiswara, P.O. Sarairanjan, P.S. Sarairanjan, District-Samastipur, at Present M.I.G. 25 Hanuman Nagar, Kankarbagh, Patna-800020.

... ... Petitioner/s

Versus

1. The State of Bihar through Commissioner-Cum-Secretary, Urban Development, Government of Bihar, Patna.
2. Sri Shashi Shekhar Sharma, the Commissioner, Building Construction and Housing Department, Government of Bihar, Patna.
3. Sri Anupam Kumar Suman, the Managing Director, Bihar State Housing Board, Patna.
4. Sri Sushil Kumar Pandey, the Estate Officer-Cum-Additional Secretary, Bihar State Housing Board, Patna.
5. Sri Moti Lal Jha, the Executive Engineer, Patna Division No.1, Bihar State Housing Board, Patna.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Shilpi Keshri, Advocate
For the Opposite Party/s : Mr. Rakesh Ambastha, AC to AAG-7

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

3 03-11-2021 Defect, as pointed out by the registry, is ignored.

Heard Ms. Shilpi Keshri, learned counsel for the petitioner and Mr. Rakesh Ambastha, learned AC to AAG-7 for the State.

This application has been filed for restoration of Civil Review No.33 of 2019, which stood dismissed for want of

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prosecution on 15.05.2019.

It is submitted on behalf of the petitioner that on 15.05.2019, since the counsel for the petitioner was indisposed, he could not appear on call before the Court to argue the case. She contended that there was no deliberate and intentional laches on the part of the petitioner. The non-appearance of the counsel before this Court was due to unavoidable and compelling circumstances.

Learned counsel for the State does not oppose the prayer made on behalf of the petitioner.

Considering the reasons assigned in paragraphs 8 to 10 of the restoration application as also the submissions advanced at the Bar, the application is allowed.

Civil Review No. 33 of 2019 is directed to be restored to its original file.

(Ashwani Kumar Singh, J)

(Chakradhari Sharan Singh, J)

Rajesh/-

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