

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.835 of 2023

In
Civil Writ Jurisdiction Case No.7208 of 2014

=====

Bipin Bihari Singh, Son of Late Krishna Prasad Singh, C/o Shree Pankaj Sinha, resident of Mohalla- Subhash Nagar, Ashram Road, Purnea, P.S. K. Hat, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Special Secretary, Social Welfare Department, Bihar, Patna.
3. Deputy Secretary, Social Welfare Dept. Bihar, Patna.
4. Joint Secretary, Social Welfare Department, Bihar, Patna.
5. The Collector, Gopalganj, Patna.
6. The Joint Secretary, Labour Employment and Training Department, Bihar, Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Punita Kumari Singh, Advocate
For the Opposite Party/s : Mr. Gyan Prakash Ojha, GA- 7
Mr. Ajit Kumar, AC to GA-7

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-10-2023 Heard Mrs. Punita Kumari Singh, learned counsel for the petitioner and Mr. Ajit Kumar, learned counsel for the State.

2. The petitioner presses the present application for restoration of C.W.J.C. No. 7208 of 2014, which stood dismissed by a Bench of this Court vide order dated 01.08.2017.

3. It is submitted across the Board that on 01.08.2017, when the matter was called out, there was none to represent the petitioner, thus the same stood dismissed on account of non-prosecution. However, as a matter of fact, the counsel for the



petitioner could not appear because of some unavoidable reason nor he informed this fact to the petitioner and unfortunately, in the meanwhile, the petitioner suffered a brain haemorrhage and now he is unable to move, thus the necessity of restoration of the writ petition.

4. Learned counsel for the State opposed the restoration application and submits that the writ petition stood dismissed on 01.08.2017 and the present restoration application has been filed after more than five years and on this ground alone, the same is not required to be restored.

5. Having considered the submissions, that the petitioner has suffered brain haemorrhage and he is not able to move, the present restoration application stands allowed and C.W.J.C. No. 7208 of 2014 is restored to its original file and number.

(Harish Kumar, J)

uday/-

U			
---	--	--	--

