

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.827 of 2024

In

Civil Writ Jurisdiction Case No.17839 of 2016

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Ganesh Sah Son of Ram Lakshan Sah @ RamLaxan Mahato, Resident of
Village Orlahia, P.O- Maudah, P.S. - Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar.
3. The Director, Primary Education, Govt. of Bihar, Patna, Bihar.
4. The Bihar Staff Selection Commission, Patna through its Secretary.
5. The Chairman, Bihar Staff Selection Commission, Patna.
6. The Secretary, Bihar Staff Selection Commission, Patna.
7. Raj Kumar Prasad, S/o Late Ramdeo Prasad, resident of Vill- Katahari Bigha, P.O- Bangpur, Via- Parwalpur, District- Nalanda
8. Daroga Prasad, S/o Raghunandan Pd. Bhagata, resident of Vill- Bishunpur P.S- Mirganj, District- Gopalganj
9. Bunni Lal Sah, S/o Late Sukan Sah, resident of Vill- Mohanpur Dhanraj @ Khirachak P.O- Sherpur, Chhatwara, District- Vaishali
10. Abhinandan Singh, S/o Thakur Prasad Singh, resident of Tatia Bamber, via Kharagpur, P.S- Sangrampur, District- Munger
11. Bhubneshwar Yadav, S/o Late Mahanth Yadav, Resident of Vill- Kasma, P.O.- Marar, P.S.- Khajauli, District- Madhubani
12. Kiran Kumari Gupta, C/o Surya Vansah residing near Masjid Gali, Gate no. 74, Kurjee, Patna- 10
13. Mridula Kumari, D/o Basudeo Singh, resident of Vill- Dahour Bigha, P.O.and P.S.- Telhara, District- Nalanda
14. Urmila Kumari, wife Rameshwar Singh, Resident of Vill- Woob, P.O. Bharoob, P.S.- Obra, District - Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Richa, Advocate
For the Opposite Party/s : Mr. J.K.Roy-1, Standing Counsel 13
Mr. U.K.Singh, A.C. to S.C.-13

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 20-09-2024 1. Heard learned counsel for the petitioner and learned
counsel for the opposite parties.



2. The instant application has been filed for restoration of CWJC no.17839 of 2016 which stood dismissed for default for non-compliance of the peremptory order dated 14.12.2023.

3. Learned counsel for the petitioner referring to the statement made in paragraph no.5 submits that the Advocate on record conducting the case having unfortunately died in the year 2021, the case could not be properly attended to and thus the dismissal.

4. Having heard learned counsel for the parties and taking into consideration the contents of the restoration application and the submissions made, the Court is satisfied that the petitioner has made out a case for restoration of the main application.

5. Accordingly, the application is allowed and CWJC no.17839 of 2016 is restored to its original file.

(Partha Sarthy, J)

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