

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1517 of 2023

In
Civil Writ Jurisdiction Case No.22652 of 2013

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1. Rafique Mian Son of Hamid Mian, Resident of village Mahrauli, Post Kharhatand Barka Singhanpura, P.S. Simari, Buxar.
 2. Hamid Mian, Son of Late Basgit Mian, Resident of village Mahrauli, Post Kharhatand Barka Singhanpura, P.S. Simari, Buxar.
 3. Safique Mian, Son of Hamid Mian, Resident of village Mahrauli, Post Kharhatand Barka Singhanpura, P.S. Simari, Buxar.
 4. Sadique Mian, son of Hamid Mian, Resident of village Mahrauli, Post Kharhatand Barka Singhanpura, P.S. Simari, Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary Human Resources Development Department Government of Bihar, Patna.
2. The District Magistrate, Buxar office of the District Magistrate, Buxar, Collectorate Office, Buxar.
3. The Additional District Magistrate, Buxar office of the District Magistrate, Buxar, Collectorate Office, Buxar.
4. The Sub-divisional Magistrate, Dumraon, Sub-Revisonal Office, Dumraon, District Buxar.
5. Sri Shailendra Prasad, Labour Enforcement Officer-cum-Labour Inspector Simari, P.S. Simari, District Buxar.
6. Abbas Ansari, Son of Rajak Ansari, resident of village Mahrauli, Post Rani Singhanpura, P.S. Simari, District - Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan, Advocate
For the Opposite Party/s : Mr.Sarvesh Kumar Singh (Aag 13)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2024 1. The present petition has been filed for restoration of a writ petition bearing C.W.J.C. No.22652 of 2013, which has stood dismissed for want of prosecution vide order dated 17.03.2023.

2. The learned counsel for the petitioners has



submitted that since the advocate on record, appearing for the petitioners in the aforesaid writ petition had shifted his practice from this Court to the District Court of Buxar, he could not appear when the aforesaid writ petition was called out for hearing, resulting in dismissal of the aforesaid writ petition for want of prosecution, however, now a new counsel has been engaged by the petitioners, who is pressing the present restoration petition and henceforth, no default shall take place, thus a sympathetic view be taken and the aforesaid writ petition bearing CWJC No.22652 of 2013 be restored to its original file.

3. Having regard to the submission made by the learned counsel for the petitioners as also considering the averments made in the present petition, I deem it fit and proper to restore the aforesaid writ petition bearing CWJC No.22652 of 2013 to its original file.

4. The present restoration petition stands allowed.

(Mohit Kumar Shah, J)

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