

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1488 of 2022

In
Civil Writ Jurisdiction Case No.12561 of 2016

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M/s Ramay Enterprises through its Managing Partner Birendra Singh, aged about 74 years, (Male), Son of Late Mohan Singh, Resident of Khiriawan Bhawan Piparpati, New Area Gaya, P.S. Kotwali, District- Gaya.

... .. Petitioner/s

Versus

1. The Union of India through the Divisional Railway Manager, Eastern Central Railway, Danapur.
2. The Divisional Railway Manager, Eastern Central Railway, Danapur.
3. The Divisional Engineer I Eastern Central Railway, Danapur.
4. The Divisional Finance Manager/ Senior Accounts Officer, Eastern Central Railway, Danapur.
5. The Sectional Engineer (Rail Path) Eastern Central Railway, Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-07-2024 The present petition has been filed for restoration of a writ petition bearing C.W.J.C. No. 12561 of 2016, which has stood dismissed for default on account of non-compliance of the peremptory order dated 17.12.2018.

2. The learned counsel for the petitioner has submitted that he had suffered a heart attack and thereafter was not well all throughout the COVID-19 pandemic period leading to delay in filing the restoration petition. Nonetheless, the



order dated 17.12.2018 has already stood complied with, hence it is submitted that a sympathetic view be taken and the aforesaid writ petition be restored.

3. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the averments made in the present petition, though I deem it fit and appropriate to direct for restoration of the aforesaid writ petition bearing C.W.J.C. No. 12561 of 2016 to its original file, however, subject to the Registry verifying as to whether the order dated 17.12.2018 has stood complied with or not.

4. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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