

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2301 of 2021

In
Letters Patent Appeal No.1538 of 2013

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Shyam Bahadur Singh Son of Late Bachcha Singh resident of Village-
Bhaiswara, Police Station Siswan in the District of Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Patna
2. The Director General of Police, Government of Bihar, Patna.
3. The Deputy Inspector of Police (Rail) Government of Bihar, Patna.
4. The Superintendent of Police (Rail) Katihar
5. The Inspector (Rail) Barauni Railway Police Station, Barauni, Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hareram Singh, Adv.
For the Opposite Party/s : Mr.Prabhat Kumar Verma(Aag 3)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 25-10-2024 The present petition has been filed for restoration of

an appeal bearing LPA No. 1538 of 2013, which has stood

dismissed for non-prosecution, by an order dated 2.12.2021.

2. The learned counsel for the petitioner submits that the

earlier counsel representing the petitioner herein in the aforesaid

appeal was not coming to the Court since a long time, on

account of the Covid-19 Pandemic, prevailing during the said

period, hence, the petitioner herein had remained unrepresented, especially

when the aforesaid appeal was called out for hearing on 2.12.2021,



leading to dismissal of the said appeal for non-prosecution.
Thus, it is submitted that a sympathetic view be taken and the
aforesaid appeal be restored to its original file.

3. Having regard to the facts and circumstances of the case
and considering the averments made in the present petition, we
deem it fit and proper to direct for restoration of the aforesaid
appeal bearing LPA No. 1538 of 2013 to its original file.
4. The present restoration petition stands allowed.

(Mohit Kumar Shah, J)

(Sunil Dutta Mishra, J)

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