

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.877 of 2022

In
Letters Patent Appeal No.508 of 2019

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1. Notre Dame Academy, Munger P.S. Kasim Bazar, P.O. and District Munger PIN 811201 through its Secretary Sr. Reena S.N.D. daughter of late Joseph Thekkel, resident of Notre Dame Convent, Peepal Panthi Rd., P.S. Kasim Bazar, Munger, District Munger.
 2. Principal, Notre Dame Academy, Munger, Sr. Sonia, female, aged 56 yrs, S.N.D. daughter of late P.J. Joseph, resident of Notre Dame Convent, P.S. Kasim Bazar, Munger, Dt. Munger.
 3. President, Education Board, Managing Committee, Notre Dame Academy, Sr. Mary Tessy S.N.D. resident of Notre Dame Convent P.O. Pataliputra-800013, P.S. Pataliputra Colony, District Patna.
 4. The Secretary, Education Board, Managing Committee, Notre Dame Academy, Sr. Nishkalanka, S.N.D., daughter of late Devasia, resident of Notre Dame Convent, P.O. Pataliputra- 800013, P.S. Pataliputra Colony, Dt. Patna.

... .. Petitioner/s

Versus

1. Md. Zahid Hussain son of late Md. Zahid Hussain, then resident of Mohalla Sadipur, near Ice Factory, P.S. Kotwali, P.O. and District Munger, Bihar, residing at present at C/o Md. Sarfarak Alam alias Lal, Gali No. 2 Hazratganj, Khankah, P.S. Kasim Bazar, P.O. and District Munger, Bihar.
2. State of Bihar through the Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
3. Presiding Officer, District Appellate Authority Munger, District Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.K.M.Joseph, Adv.

For the State : Mr. Naman Nayak, AC to Ex-AAG-10, I/C AAG-15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 20-03-2025 The present petition has been filed for restoration of a petition bearing L.P.A. No. 508 of 2019, which has stood dismissed for want of prosecution, vide order dated 26.4.2022.



2. The learned counsel for the petitioners has submitted that since the counsel for the petitioners was engaged in another Court, he could not appear when the case was called out for hearing, hence, the aforesaid petition was dismissed for want of prosecution, thus a sympathetic view be taken and the aforesaid petition be restored to its original file.

3. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners as also considering the averments made in the present petition, we deem it fit and appropriate to direct for restoration of the aforesaid petition bearing L.P.A. No. 508 of 2019 to its original file.

4. The present restoration petition stands allowed.

(Mohit Kumar Shah, J)

(Soni Shrivastava, J)

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