

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2982 of 2025
In
Civil Writ Jurisdiction Case No.9581 of 2017

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Arun Kumar Tiwari

... .. Petitioner/s

Versus

The Chief Project Manager, Eastern Dedicated Freight Corridor, East Central Railway, Mughalsarai(U.P.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ramchandra Singh, adv.
For the Res. No. 1	:	Mr. Ashok Kumari Keshari, Adv.
For the Opposite Party/s	:	Kumar Sunil, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

3 12-12-2025 1. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

2. This Court had passed oral order dated 22.07.2025 contesting that on 18.05.2025, at the request of the Learned counsel for the petitioner, the matter was directed to be listed on 21.07.2025. However, the matter appeared before the Court on 22.07.2025, and when the matter was called for in the first round, the Learned counsel for the petitioner sought for an adjournment. Thereafter, this Court directed the the Learned counsel for the petitioner to go through the counter affidavit and inform the Court whether any alternative remedy is available or not?



3. Again when the matter was called for in second round, at 02:15 PM, there was no representation for the petitioner, therefore, the Writ petition was dismissed for default and for non-prosecution.

4. This restoration petition is filed contending that the counsel on record could not be present on 22.07.2025 on the ground of illness and his Junior counsel appeared before the Court for seeking adjournment. Therefore, the petitioner prayed to set aside the dismissal order dated 22.07.2025, as he is ready to submit his arguments.

5. Taking into consideration that the petitioner is ready to submit his arguments in the main Writ petition, the order dated 22.07.2025 is hereby set aside and CWJC No. 9581 of 2017 is restored on its original file.

6. Accordingly, MJC No. 2982 of 2025 is allowed.

(G. Anupama Chakravarthy, J)

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