

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2731 of 2023

In
CIVIL REVISION No.31 of 2021

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1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar Old Secretariat, Patna.
 2. The Chief Engineer, Water Resources Department, Office of the Chief Engineer at Ratwara, District and Town Muzaffarpur.
 3. The Superintending Engineer, Water Resources Department, Drainage Circle Motihari, East Champaran.
 4. The Executive Engineer, Flood Control Division (Earlier Known as Champaran Division) Motihari, East Champaran.
 5. The Senior Engineer Champaran Emabnkment Sub-Division-1 District West Champaran.

... .. Petitioner/s

Versus

1. Daya Sagar Prasad S/o Rameshwar Prasad Resident of Village-Laikaria, P.O. Bairiya, District- West Champran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, A.C. to A.A.G.4

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 11-04-2025 Heard learned counsel for the petitioners.

2. This application has been filed for restoration of Civil Revision No. 31 of 2021, which was dismissed for default for non compliance of peremptory order dated 13-01-2023.

3. Learned counsel for the petitioners submitted that that Civil Revision No. 31 of 2021 was listed for hearing on 13.01.2023 through video conferencing; however, due to technical glitches and connectivity issues, learned counsel for the petitioners could not appear and due to non appearance of



the advocate on behalf of the petitioners the order to remove defect as pointed out by the office was not complied. It is further submitted that the delay in complying with the order for removal of defects was neither willful nor deliberate, but occurred due to the mistake of the advocate. As the petitioner is not at fault, it is prayed that, for the ends of justice, the restoration petition may be allowed and the civil revision application be restored to its original file and number.

4. Having regard to the explanation furnished in the restoration application and the submissions advanced in support thereof, and on consideration of the materials available on record, this Court is satisfied that sufficient cause has been made out for restoration.

5. For the reasons stated above, Civil Revision No. 31 of 2021 stands restored to its original file and number, subject to compliance with the order dated 13.01.2023 passed by this Court.

(Khatim Reza, J)

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