

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4048 of 2024

In
Civil Writ Jurisdiction Case No.10174 of 2022

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Gaurav Kumar S/o Sankar Saw, Vidyapith Chowk, P.O.-Lakhisarai, District-Lakhisarai, Bihar, Pin-811311 at present residing at C/o-Sankar Saw, 21 D Fourth Floor, Skylark Apartment, Site-2, Ghazipur, East Delhi-110096.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar Old Seretariat, Patna, Bihar.
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Secretary, Public Health Engineering Department, Government of Bihar, Patna.
4. The Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Secretary, Building Construction Department, Government of Bihar, Patna.
6. The Secretary Rural Works Department, Government of Bihar, Patna.
7. The Secretary, Planning and Development Department, Government of Bihar, Patna.
8. The Principal Secretary, Minor Water Resources Department, Govt. of Bihar, Patna.
9. The Bihar Public Service Commission through its Chairman, Patna.
10. The Secretary, Bihar Public Service Commission, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Brijnandan, Adv.
For the State	:	Mrs. Dr. Shobha Choubey, AC to GP-19
For the B.P.S.C.	:	Mr. Sanjay Pandey, Adv., Mr. Nishant Kumar Jha.

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 25-04-2025 Learned Advocate on behalf of the petitioner, learned Advocate on behalf of the State and learned Advocate on behalf of the B.P.S.C. are present.

2. This is an application filed by the petitioner for



restoration of C.W.J.C. No. 10174 of 2022, which was dismissed for default on 30th September, 2024 by this Court.

3. It appears from the application that application for restoration was filed on 11th November, 2024. This Court can take judicial notice of the fact that the intervening period of 30 days, within which the petitioner was under obligation to file the application for restoration, fall within the Puja Vacation and after re-opening of the Court the instant application is filed. Therefore, the petitioner is entitled to get benefit of the Puja Vacation period and the limitation will not run during the said period.

4. In view of such circumstances on due calculation, I find that the restoration application has been filed within time. The petitioner was prevented by sufficient cause to attend the Court when the writ petition was called on for hearing.

5. Therefore, the instant restoration application is allowed.

6. C.W.J.C. No. 10174 of 2022 is restored to its file.

(Bibek Chaudhuri, J)

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