

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4324 of 2024

In
Civil Writ Jurisdiction Case No.8501 of 2022

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Geeta Srivastava W/o Late Jai Prakash Narayan @ Jai Prakash Srivastava @
Late Jai Prakash Narayan Srivastava, Resident of Village B2, Satyam
Enclave, Judges Colony, East Saguna Khagaul, Patna, Bihar- 801503.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Planning and Development, Govt. of Bihar, Old Secretariat, P.O. Sachivalay, Patna.
2. The Additional Chief Secretary, Department of Finance, Govt. of Bihar, Old Secretariat, P.O. Sachivalay, Patna.
3. The Director, Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr. Venkatesh Kirti, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 11-04-2025

I.A. No.01 of 2025

C.W.J.C. No.8501 of 2022 was dismissed for default
vide order dated 30.09.2024 by this Court.

2. The petitioner filed the restoration petition on
06.12.2024 meaning thereby that there was delay of 37 days in
filing the application for restoration.

3. When it is pointed out to the learned Advocate for
the petitioner, an application under Section 5 of the Limitation
Act was filed on 08.04.2025 for condonation of delay.

4. I have perused the petition under Section 5 of the
Limitation Act.



5. I have also heard the learned Advocate for the petitioner as well as Senior Advocate on behalf of the opposite party.

6. The grounds mentioned in the petition under Section 5 of the Limitation Act appears to be satisfactory. Therefore, this Court holds that the petitioner has been able to establish sufficient grounds which prevented him to file the application for restoration within the period of limitation.

7. Accordingly, the application under Section 5 of the Limitation Act is allowed and C.W.J.C. No.8501 of 2022 is restored to its original file and the same is taken up for hearing.

(Bibek Chaudhuri, J)

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