

WA 13/2007

BEFORE

THE HON'BLE MR JUSTICE D. BISWAS, CHIEF JUSTICE(ACTG.)

THE HON'BLE MR JUSTICE B.D.AGARWAL

Heard Mr A. Maleque, learned counsel for the appellant and also Mrs B. Goyal, learned State counsel.

This appeal is directed against the order dated 21.11.2005 passed by the learned Single Judge in Misc Case No.3156/2005 in WP(C) No.4372/99. By the impugned order, the learned Single Judge dismissed the Misc Case filed for restoration of WP(C) No.4372/99, which was dismissed for non-prosecution.

After examining the records of the original writ petition, we find that the appellant was negligent in prosecuting the writ petition and was absent though repeated adjournments were granted by the Court. We, therefore, find no reason to interfere with the order appealed against. The appeal is therefore dismissed.

The appellant may, if so advised, prefer an appeal against his discharge from service before the appellate authority. If any such appeal is filed, the appellate authority shall dispose of the same after condoning the delay.