

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1674 of 2014

In
First Appeal No. 220 of 1979

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1. Sushila Devi Wife of Late Awadhesh Kumar @ Laloo
 2. Sanjay Kumar Son of Late Awadhesh Kumar @ Laloo
 3. Santosh Kumar Son of Late Awadhesh Kumar @ Laloo
 4. Smt. Sushma Wife of Sunil Kumar and daughter of Late Awadhesh Kumar @ Laloo.
 5. Miss Sangita Daughter of Late Awadhesh Kumar @ Alloo.
 6. Shailiza Daughter of Late Awadhesh Kumar @ Alloo. All resident of mohalla-Station Road, Mirzapur, P.S.-Nawadah, District-Nawadah.
- Petitioner/s

Versus

1. Niranjan Prasad Son of Late Mathura Prasad
 2. Arjun Prasad Son of Late Mathura Prasad
 3. Gauri Shankar @ Lallan Prasad Son of Late Mathura Prasad
 4. Shri Lal.
 5. Dilip Kumar
 6. Smt. Sunaini Kumari
 7. Bari Babhi. null null
 8. Manjhali Bhabhi
 9. Chhotki Babhi Opp. Party Nos. 4 and 5 are minor sons whereas opp. party nos. 6 to 9 are minor daughter of late Jobraj Lal under the guardianship of Surendra Nath Advocate GAL and well wisher All resident of Village-Kadirganj, P.S. 7 P.O.-Kadirganj, District-Nawadah.
 10. Most. Ishwari Devi widow of Sham Lal Deceased, Resident of Mohalla-Par Nawadah, P.S. AND P.O.-Nawadah, District-Nawadah.
- Opp. Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Krishnandan Singh, Sr. Adv.
Dineshwar Prasad Singh
For the Opp. Party No.1 & 2 :Mr. Vishwanath
Mr. Arbind Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 09-12-2015 After having heard the parties and for the reasons disclosed in the present M.J.C. application, the prayer for restoration of F.A. No. 220 of 1979, which stood dismissed for want of prosecution by order dated 04.04.2014, is allowed and the aforesaid first appeal is directed to be restored to its original file subject to payment of costs of Rs. 5000/- (Rs. Five thousand) by the petitioners to the appearing opposite party no. 1 and 2 through

their learned counsel Shri Arvind Kumar Sharma within a period of four weeks from today, failing which the present M.J.C. application shall be construed to have been dismissed on account of non-compliance of the Court's order.

If the receipt is filed showing payment of costs within the aforesaid period of time, then the office shall proceed for listing the aforesaid first appeal before appropriate Bench, as per roster, under the appropriate heading.

The present M.J.C. application stands finally disposed of.

(Birendra Prasad Verma, J)

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