

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.256 of 2015

In
SA 274 of 2013

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Ram Ekbal Singh & Anr

.... Petitioner/s

Versus

Smt. Sumitra Devi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 24-06-2015

Heard Mr. Mritunjay Kumar for the petitioners.

The application seeks restoration of S.A. No. 274 of 2013 which stood dismissed for non compliance of the peremptory order dated 13.08.2014 passed therein whereby the appellants were granted ten days time to file deficit court fee.

It has been submitted that the deficit court fee was filed within time on 19.08.2014, but due to mistake by the advocate clerk the same was filed in S.A. No. 27 of 2013 in place of S.A. No. 274 of 2013. It is further submitted that due to wrong number of the case the same was returned by the office in January, 2015 and immediately thereafter on 23.01.2015 the present restoration application has been filed.

Considering the aforesaid facts, the application is allowed. The time granted under order dated 13.08.2014 is extended to 26.06.2015.

(Kishore Kumar Mandal, J)

HR/-

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