

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.32 of 2015

**In
SA 528 of 2010**

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Babu Ram Thakur & Ors

.... Petitioner/s

Versus

Bundeshwar Thakur & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Sharma

For the Respondent/s : Mr. Abhimanyu Sharma

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 01-07-2015

The present application seeks recall of the order dated

05.12.2014 passed in Second Appeal No. 528 of 2010, which

reads as under:-

“Despite repeated calls, nobody has appeared on behalf of the appellants to press the appeal.

On 26.11.2014, this court passed the following order:

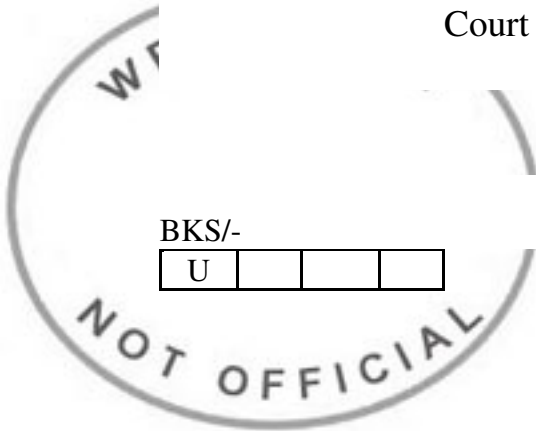
“Nobody appears on behalf of the plaintiffs-appellants.

The plaintiffs-appellants are challenging the concurrent findings of fact of the two Courts below recorded against them.

Instead of dismissing the appeal for non-prosecution, the same is directed to be listed after one week.”

The appeal is dismissed for non-prosecution.”

Considering the statements made in the application, the same is allowed. The order dated 05.12.2014 is recalled subject to deposit of a sum of Rs. 1,000/- (one thousand) with the Patna High Court Legal Services Committee within a period of two weeks.



(Kishore Kumar Mandal, J)