

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.3846 of 2014**

**In**  
**SA 22 of 2013**

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Nawal Kishore Sah

.... .... Petitioner/s

Versus

Jhako Devi & Ors

.... .... Respondent/s

=====

with

**Second Appeal No.22 of 2013**

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Nawal Kishore Sah

.... .... Appellant/s

Versus

Jhako Devi & Ors.

.... .... Respondent/s

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

3      06-05-2015                      Heard the parties.

The application seeks restoration of I.A. No. 1012 of 2013 which was filed in S. A. No. 22 of 2013. Inadvertently, in the said order this Court while granting time observed that the two interlocutory applications shall stand rejected in case the order is not complied with.

Counsel for the petitioner rightly submitted that I.A. No. 1013 of 2013 was already allowed on 08.09.2014 which is borne out from the record. By virtue of the peremptory order dated 16.09.2014, I.A. No. 1012 of 2013 stood rejected. This Court granted two days time to petitioner-appellant to serve a copy of the said interlocutory application on the counsel for the respondent

nos. 1 to 4 of the second appeal and file receipt thereof within a week. The copy of the interlocutory application was served on 25.09.2014 and receipt thereof was filed on 26.09.2014. The reasons for non compliance of the order within time have been explained in paragraph 5 and 6 of this application.

Having heard the parties, this Court is satisfied that the application merits to be allowed. It is accordingly allowed.

**(Kishore Kumar Mandal, J)**

HR/-

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