

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2432 of 2015

In
SA 255 of 2013

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Ramendra Pandey & Ors

.... Petitioner/s

Versus

Mostt. Sogra Khatoon & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 23-09-2015 Heard Mr. Subodh Kumar Jha in support of the application which seeks restoration of S.A. No. 255 of 2013 to its original file and number which stood dismissed for non-compliance of the peremptory order dated 05.12.2014.

It has been submitted that altogether 12 defects were pointed out in the appeal. The appellants removed 08 defects whereas the 04 defects could not be removed. Reasons therefor have been explained in the application. It is stated that the defendant filed the second appeal having lost in one Court. The title of the land is involved. In case the appeal is not heard on merit, serious prejudice shall be caused to the appellants.

Considering the facts stated in the application and the submissions made in support thereof, the same is allowed. S.A. No. 255 of 2013 stands restored to its original file and number

subject to removal of the remaining defects within 10 days and also deposit of a cost in the sum of Rs. 400/- with the Patna High Court Legal Services Committee and filing receipt thereof within the same time.

Pankaj/-

(Kishore Kumar Mandal, J)

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