

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3148 of 2014

In
SA 324 of 1985

- =====
1. Veda Devi Wife of Late Dighambar Mishra
 2. Bachhi Devi Wife of Late Gauri Kant Mishra
 3. Kamlesh Kumar Mishra Son of Late Gauri Kant Mishra
 4. Hiresh Kumar Mishra Son of Late Gauri Kant Mishra
 5. Saroj Devi, Daughter of Late Gauri Kant Mishra
 6. Sarban Kumar Mishra son of Late Dighamber Mishra null
 7. Manjula Devi, Daughter of Late Dighamber Mishra
 8. Ram Sakhi Devi, Wife of Late Bhup Narayan Mishra
 9. Ganga Devi wife of Late Abhai Shankar Mishra
 10. Renu Devi Daughter of Late Dhup Narayan Mishra
 11. Rajesh Kumar Mishra, minor son of Late Abhai Shankar Mishra
 12. Rani Devi, minor daughter of Late Abhay Shankar Mishra
 13. Tatoo Devi, minor daughter of Late Abhay Shankar Mishra
 14. Singhasan Devi W/o late Dighamber Mishra All resident of Bishanpur Umri, Pargana Pachahi, Police Station- Madhopur, District- Madhubani

.... Petitioners

Versus

1. Durganand Jha
2. Indranand Jha
3. Shushila Jha all sons and daughter of late Bidyanath Jha, resident of village- Balia, Police Station- Madhopur, District- Madhubani

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Respondent/s : Mr. Shailendra Kr. Jha

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 05-08-2015 Mr.Ranjan Kumar Dubey learned counsel for the

petitioners and counsel for the respondents of the Second Appeal

are present.

Heard.

The application seeks restoration of SA No. 324 of

1985 which was considered along with S.A.No. 323 of 1985 and

dismissed for non-prosecution noticing the fact that on earlier occasion also no one had appeared to press the appeal.

Mr. Dubey explains the reason for non- appearance of the appellants on the date when the case was called out. It has been pointed out that the connected SA no. 323 of 1985 has been restored to its original file and number by order dated 5.6.2015 passed in MJC No. 3147 of 2014. The aforesaid contention of the Mr. Dubey has not been disputed by the counsel for the opposite parties/respondents.

Considering the submissions of the counsel for the petitioners and the statements made in the application, the same is allowed. S.A. No. 324 of 1985 is restored to its original file and number subject to payment of a cost of Rs. 500/- to the opposite parties or the counsel who represents the opposite parties i.e. the respondents of the Second Appeal within two weeks and filing receipt thereof in the office.

(Kishore Kumar Mandal, J)

Shyam/-

U			
---	--	--	--