

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2697 of 2012

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Kishori Nath Pandey S/O Raj Nandan Pandey Resident Of Village-
Manpuram, P.S- Baruraj, P.O- Birahima Bazar, P.S- Baruraj, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. Ashwani Kumar Pandey S/O Sri Amarnath Pandey Resident Of Village-
Anpura, P.O- Birahima Bazar, P.S- Baruraj, District- Muzaffarpur.
2. Krishna Kumar Pandey S/O Amarnath Pandey Resident Of Village-
Manpura, P.O- Birahima Bazar, P.S- Baruraj, District- Muzaffarpur.
3. Urmila Devi W/O Kishori Nath Pandey Resident Of Manpura, P.O-
Brahima Bazar, P.S- Baruraj, Distt- Muzaffarpur.
4. Sri Sheopujan Pandey S/O Late Ram Baran Pandey

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey
For the Respondent/s : Mr. Lal Bahadur Singh

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

5 09-12-2015

Heard learned counsel for the petitioner

This application has been filed for restoration of
C.R.No.1517 of 2009 which had been dismissed for default on
12.3.2012 for non-compliance of the order dated 9.2.2012. By the
impugned order the learned court below has allowed the prayer of
the O.Ps. No.4 and 5 to be impleaded as intervenor-defendants in
the suit. By order dated 14.10.2015 the learned counsel for the
petitioner was directed by this Court to seek instruction regarding
the present status of the suit.

However, when the matter has been taken, up today learned
counsel for the petitioner has submitted that he has no instruction

with regard to the status of the suit. It appears from the record that the suit is of the year 1997 and in that view of the matter the information was sought from the petitioner regarding the status of the suit. It further also appears that no sufficient cause has been made out for restoration of the Civil Revision application particularly, in view of the fact that the order dated 9.2.2012 was passed on the prayer of the learned counsel for the petitioner. The ground as mentioned in the interlocutory application that the learned counsel of the petitioner remained busy in treatment of his wife for so long does not inspire confidence.

Accordingly, the restoration application is dismissed.

(V. Nath, J)

AnilKrSinha/-

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