

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.3372 of 2014**  
**In**  
**First Appeal No. 351 of 1982**

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Smt. Shyam Pati Devi & Ors.

.... .... Petitioner/s

Versus

Dangleshwar Sharma & Ors.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Vishwanand Upadhay

For the Respondent/s : Mr. Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO**  
**ORAL ORDER**

6 25-03-2015

Heard learned counsel for the petitioners.

It appears that notices were issued to the opposite parties and Mr. Rajesh Kumar has already filed vakalatnama.

This M.J.C. application has been filed for restoration of First Appeal No.351 of 1982, which was dismissed for default on 16.07.2014 when nobody appeared on behalf of the appellants.

In view of the statements made in the M.J.C. application and the submission of the learned counsel for the petitioners, I am satisfied that the petitioners were prevented by sufficient cause from not appearing before the Court when the first appeal was called on for hearing.

In view of the above facts and circumstances of the case, this M.J.C. application is allowed and First Appeal No.351 of 1982 is restored to its original file.

Harish/-

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**(Mungeshwar Sahoo, J)**