

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3147 of 2014

In
SA 323 of 1985

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1. Veda Devi Wife of Late Dighamber Mishra
 2. Bachhi Devi Wife of Late Gauri Kant Mishra
 3. Kamlesh Mishra Son of Late Gauri Kant Mishra null
 4. Hirsh Kumar Mishra son of Late Gauri Kant Mishra
 5. Suroj Devi, Daughter of Late Gauri Kant Mishra
 6. Sarban Kumar Mishra son of Late Dighamber Mishra
 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, son of Late Abhai Shankar Mishra
 12. Rani Devi Daughter of Late Abhai Shankar Mishra
 13. Tatoo Devi, Daughter of Late Abhai Shankar Mishra All resident of Bishanpur Umri, Pargana Pachahi, Police Station- Madhopur, District- Madhubani
 14. Shib Shankar son of late Digambar Mithra

.... Appellants-Petitioners

Versus

Smt. Anar Devi & Ors. All are daughters of Late Anandi Jha resident of village Balia P.S. Police Station- Madhopur, District- Madhubani

.... Respondent/opposite parties

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey
For the Respondent/s : Mr. Shailendra Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 06-05-2015 Heard learned counsel for the petitioners and the State.

The second appeal being S.A. No. 323 of 1985 was called out on 01.08.2014 when nobody had appeared on behalf of the appellants to press the same. In the circumstances, noticing the fact that on earlier occasion too the appellants had defaulted in appearance the same was dismissed for non prosecution.

The present MJC application has been filed on 20.08.2014 disclosing the reasons for non appearance of the counsel. It has been stated that although the defendants had lost in both the courts below but the substantial questions of law framed in the appeal require to be answered.

For the reasons stated in the application and submissions made in support thereof the same is allowed and S.A. No. 323 of 1985 is restored to its original file and number subject to payment of a cost in the sum of Rs. 500/- in the Patna High Court legal Services Committee and filing receipt thereof within two days.

(Kishore Kumar Mandal, J)

HR/-

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