

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3537 of 2010

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Shail Devi & Ors.

.... Petitioner/s

Versus

Raj Kishore Thakur & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Shankar Prasad

For the Respondent/s : Mr. R.Kr.Kr.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 15-10-2015

In view of office notes, name of parties stated in the

connected FA No. 768 of 1971 is not readable as it is faint. In such circumstances, counsel for the petitioners submits that this is not a defect but the office e has pointed out that it is not in a position to verify the names of parties in the F.A. Incapability of Office cannot be treated to be defect, cannot be removed by him.

It appears that the submission of the counsel is correct. Incapability of Office to read the names of parties in the cause title of Memo of Appeal on account of the fact that some names have been hand written has turned to faint.

In such view of the matter order dated 11th May 2011 is modified accordingly and FA No. 768 of 1971 is restored to its original file. In the mean time counsel for the appellant is directed to furnish proper copy of Memo of appeal or any amendment made so that the Office may verify and make proper stamp reporting of the First Appeal.

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(Shivaji Pandey, J)