

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4297 of 2010

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Sandhya Devi & Ors.

.... Petitioner/s

Versus

Kedar Pandey & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Sushmita Mishra

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

9 01-04-2015

Heard the learned counsel, Mrs. Sushmita Mishra on
behalf of the petitioners.

This M.J.C. application has been filed for restoration
of First Appeal No. 200 of 1976, which was dismissed for default
for non-appearance of the appellants at the time when the First
Appeal was called on for hearing.

Notices were issued to the opposite parties in
restoration application also. In spite of service of notice, nobody
appeared on behalf of the opposite parties.

In view of the above facts and 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.
Accordingly, this M.J.C. application is allowed and First Appeal
No. 200 of 1976 is restored to its original file.

The learned counsel for the petitioners submitted that the appeal is of the year 1976, therefore, the appeal itself may be listed for final hearing.

In view of the submission, it is directed to list this First Appeal No. 200 of 1976 for final hearing after one month.

(Mungeshwar Sahoo, J.)

Vats/-

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