

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3564 of 2014

In
SA 49 of 2011

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Salim Hajam @ Salim Mian & Ors.

.... Petitioner/s

Versus

Mainu Nisa & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramanuj Tiwary

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 28-01-2015 Heard Mr. Tiwary for the petitioner in support of MJC

No. 3564 of 2014 which has been filed for restoration of S.A.
No. 49 of 2011 which stood dismissed for non compliance of the
peremptory order dated 03.09.2014. Under orders of the Court
copy of the restoration application was served on the counsel who
represented the respondents in the second appeal inasmuch as the
name of the counsel appears on the daily cause list. He has
however not appeared.

Referring to the statement made in paragraph 6 of the
restoration application it has been submitted that defect no.4
was partly removed within time. However, due to some
misconception the same could not be removed in full. Other
defects which were required to be removed under order dated
03.09.2014 were removed. Learned counsel undertakes to

remove defect no.4 in course of the day.

Considering the statements made in the restoration application and submissions made in support thereof, the application seeking restoration of S.A. No. 49 of 2011 is allowed subject to removal of defect no.4 in course of the day.

Office shall proceed accordingly.

(Kishore Kumar Mandal, J)

HR/-

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