

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4994 of 2013

In
C.R. 146 of 2011

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Anil Kumar Sinha & Anr.

.... Petitioner/s

Versus

Wale Yadav & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Respondent/s : Mr. Namrta Mishra

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

4 06-05-2015

Heard the learned counsel for the petitioners.

This restoration application has been filed for restoration of C.R. No. 146 of 2011 which stood dismissed for default for non-compliance of the order dated 20.09.2011. By the said order, the prayer of the petitioners for grant of 10 days time as pointed out by the office was allowed. By filing a supplementary affidavit, the petitioners has stated that the direction in the said order was complied belatedly on 19.10.2011 and the reason has been assigned for the delay in compliance.

The learned counsel for the petitioners has submitted that in fact the petitioners or the learned counsel for the petitioners had no knowledge of belated compliance of the direction in the said order as no information was given in that regard by the concerned advocate clerk.

After considering the aforesaid submissions, the prayer for restoration is allowed particularly in view of the fact that the direction as contained in the order dated 20.09.2011 stood complied though belatedly. Accordingly, this restoration application is allowed and the revision application no. 146 of 2011 is restored to its original file. It has also been stated by the learned counsel for the petitioners that this revision application arises out of T.S. No. 27 of 2008 which is still pending.

(V. Nath, J)

Devendra/-

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