

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8029 of 2015

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1. Lal Babu Sah ,
2. Surendra Sah
3. Shashi Bhushan Sah, All are sons of Sheo Lal Sah, Resident of Village-
Rasulpur Mohiuddin @ Madhaul, P.O.- Chandsarai, P.S. Mahua, Distt-
Vaishali

.... Petitioners

Versus

1. Md. Mannan, son of Patlu Mian
2. Md. Kufran, son of Md. Mannaa, Both are resident of Village- Rasulpur,
Mohiuddin @ Madhaul, P.O.- Chandsarai, P.S. Mahua, Distt- Vaishali.
3. Anirul Haque
4. Abdul Rauf
5. Amin Ahmad, all are sons of Paltu Mian, Resident of Village- Rasulpur
Mohiuddin @ Madhaul P.O.- Chandsarai, P.S. Mahua, Dist- Vaishali.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 25-04-2016 Heard learned counsel, Mr. Rajeev Ranjan, for the
petitioner.

By the order dated 30.07.2013, learned A.D.J. 2nd,
Vaishali at Hajipur rejected the Miscellaneous Case No. 01 of
2008 filed by the petitioner for restoration of Title Appeal No. 28
of 1992.

It appears that the petitioners were respondents in
Title Appeal. The Title Appeal has already been dismissed for
default. The appellants did not file application for restoration

rather the defendants have filed application for restoration. Therefore, the learned Court below dismissed the application as not maintainable under Order 41 Rule 19 of the Code of Civil Procedure. I, therefore, find no reason to interfere with the impugned order, as petitioners-respondents in the appeal have no Locus Standi to file restoration application. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Mishra/-

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