

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1080 of 2016**  
**In**  
**SA 359 of 2013**

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S.m.arshur Rahman & Ors

.... .... Petitioner/s

Versus

Md. Helal Ahmad & Ors

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Manish, Adv.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE V. NATH**

**ORAL ORDER**

2      30-11-2016

Heard learned counsel for the petitioners.

It has been submitted that in response to the order passed on 6.05.2015, the interlocutory application (I.A. No. 4170 of 2015) has been filed and the relevant fact in this regard has been stated in paragraph-2 of the said interlocutory application. The said interlocutory application is also on record of the second appeal.

In view of the aforesaid facts and submissions, S.A. No. 359 of 2013 could not have been dismissed for non-compliance of the order dated 06.05.2015. Learned counsel for the petitioners, however, has submitted that there has already been order for dismissal of the said second appeal for non-compliance

In the facts and circumstances of the case, the S.A.

No. 359 of 2013 is restored to its original file.

The office is directed to proceed accordingly.



**(V. Nath, J)**