

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3623 of 2012

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Md. Naphir Khan & Ors

.... Petitioner/s

Versus

Ibney Saud & Ors

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Adv.

For the Respondent/s : Mr. Null

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

22 24-06-2016

On account of non-compliance of peremptory order dated 18.12.2008, S.A. No.466 of 1999 was dismissed on 15.01.2009 for restoration of which instant petition has been filed on 26.07.2012 for which, I.A. No.1199 of 2013 has also been filed to condone the delay.

Heard learned respective counsels.

Learned counsel for the petitioners has undertaken to comply with the order dated 18.12.2008 within two months after restoration of S.A. No.466 of 1999. In the aforesaid facts and circumstances of the case, S.A. No.466 of 1999 is directed to be restored after condoning the delay whereupon I.A. No.1199 of 2013, is allowed, subject to cost of Rs.5500/-. Half of the same should be deposited under Patna High Legal Services Committee and the petitioner will file receipt thereof while remaining amount will be received by the learned counsel for the opposite party.

Accordingly, instant petition is allowed.

(Aditya Kumar Trivedi, J)

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