

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1996 of 2015

In
SA 238 of 2012

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1. Manoj Kumar Son of Late Shankar Lall,
2. Sunil Kumar Son of Late Shankar Lall
Both are Resident of Pachim Darwaja, Ashok Raj Path, P.S.-Khajekalan, in
the Town and District-Patna.

.... Petitioner/s

Versus

1. Most. Girija Devi Wife of Late Ram Bali Singh
2. Satyendra Narayan Singh S/o Late Ram Bali Singh
3. Bhanu Pratap Singh Son of Late Ram Bali Singh
4. Krishna Kant Singh S/o late Ram Bali Singh
5. Brajendra Narayan Singh S/o Late Ram Bali Singh
All are Resident of Mohalla-Pandariba Gali, Guzari, P.S.-Khajekalan, in
the Town and District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 21-09-2016

Heard the Counsel for the petitioners.

The appellants of S.A. No. 238 of 2012 have filed
the present application for restoration of the second appeal to its
original file and number.

The Court under order dated 19.08.2014 dismissed
the appeal on finding that at least on two occasions, the
petitioners-appellants had defaulted in appearing to press the
appeal. The appellants-petitioners are the tenant and defendants of
the suit which was decreed in favour of the plaintiff on the ground
of personal necessity. The appeal preferred thereagainst was also

dismissed and the order of the Trial Court was confirmed.

On going through the diverse statements made in the application and submissions made in support thereof, I am not satisfied that a plausible case for restoration of the appeal is made out.

The restoration application is dismissed.

(Kishore Kumar Mandal, J)

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