

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2697 of 2014
In
First Appeal No. 797 of 1980

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Ramaotar Prasad Yaduka, & Ors			Petitioner/s
Versus			
Habibur Rahman & Ors			
			 Respondent/s

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Appearance :
For the Petitioner/s : Mr. Anant Kishor Lal Das
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

3 27-01-2016 The learned counsel for the petitioners submitted that Sagar Mal was only appellant in the first appeal. He died during the pendency of the first appeal. The present petitioners, who are the legal heirs of the sole appellant, had no knowledge about the pendency of the first appeal.

The learned counsel, who was on behalf of Sagar Mal, did not inform the petitioners about the pendency of the first appeal, therefore, nobody appeared when the first appeal was called on hearing.

In view of the submission made in the application and new fact that the sole appellant had already died and the legal representatives had filed this M.J.C. application for restoration of first appeal being F.A. No. 797 of 1980, this M.J.C. application is allowed and the F.A. No. 797 of 1980 is restored to its original file.

(Mungeshwar Sahoo, J)

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