

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 762 of 2016

In
M.A. No. 679 of 2010

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Mosmat Laljhari Devi & Another

.... Petitioner/s

Versus

Binaka Roy & Ors

.... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kishroe
Mr. Suraj Bansh Roy

For the Opp. Party/s : Mr. Hare Krishna Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-03-2016 Heard Sri Rajendra Kishore, learned counsel, who was assisted by Sri Suraj Bansh Roy, learned counsel for petitioners and Sri Hare Krishna Prasad, learned counsel for opposite party no. 1.

The present petition has been filed with a prayer to restore M.A. No. 679 of 2010, which stood dismissed due to non-compliance of peremptory order dated 15-07-2014. By the said order, while admitting the appeal, this Court had directed for issuance of notice to non-appearing respondents. Notice was directed to be issued through ordinary process as well as registered cover within specific time.

Learned counsel for petitioners submits that ofcourse within time requisites were filed, but same were not filed in strict compliance of the order of this Court and as such, the appeal stood

dismissed.

After hearing and considering the ground set forth in the restoration petition, same is allowed.

Let M.A. No. 679 of 2010 be restored to its original file provided order dated 15-07-2014 is complied with by 29th of this month, failing which, the Misc. Appeal No. 679 of 2010 shall stand automatically dismissed.

(Rakesh Kumar, J.)

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