

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2714 of 2016

In
First Appeal No. 84 of 2009

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Dhup Narayan Singh, son of Late Raghunath Singh, resident of village -
Ghorha, P.O. Siris, P.S. Baroon, District - Aurangabad.

.... Petitioner

Versus

1. Dinesh Singh, son of Late Jagdish Singh
2. Saryu Prasad Singh, son of Ram Autar Singh
3. Maljabit Singh, son of Late Jagdeo Singh
4. Yugal Singh, son of Maljabit Singh
5. Ram Janam Singh, son of Late Chhedi Singh all residents of village -
Ghorha, P.O. Siris, P.S. Barun, District - Aurangabad.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bhola Kumar
For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-07-2017 This miscellaneous case has been filed for restoration of First Appeal No. 84 of 2009 which was dismissed for default as defect nos. 1 to 3 have not been removed by learned counsel for the appellant in spite of sufficient time granted by the Court. It is submitted that defect nos. 1 to 3 will be removed very soon and if the appeal is not restored, the appellant will suffer irreparable loss and injury. On 20.07.2016 the counsel for the appellant was busy in other courts, resulting he did not turn up on call.

In the result, finding the ground sufficient, this miscellaneous case for restoration is allowed and First Appeal No. 84 of 2009 is restored to its original file. The learned counsel for



the appellant is directed to remove the defect nos. 1 to 3 within
four months.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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