

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 3139 of 2013

In
S.A. No. 536 of 2009

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Surjania Devi D/o Most. Gangajali Devi & W/o Sheo Nath Chaudhary
..... Petitioner/s

Versus

Bishundeo Chaurasia S/o Yogendra Bhagat & Ors.
..... Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
For the Opp. Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 13-01-2017 Heard Sri Naresh Chandra Verma, learned counsel for
the petitioner.

The present petition has been filed with a prayer to
restore S.A. No. 536 of 2009, which stood dismissed due to non-
compliance of peremptory order dated 14-05-2010. By the said
order, time for filing certified copy of the trial court judgment was
extended up-to 21-05-2010.

It was submitted by learned counsel for the petitioner
that since it was an old record, much time was consumed in
obtaining certified copy and even after the same was provided to
learned counsel, due to inadvertence, it was misplaced. Now he
has obtained the same and he undertakes that if the restoration
petition is allowed, the certified copy of the judgment will be filed
immediately thereafter.



In view of facts and circumstances, the restoration petition is allowed.

Let S.A. No. 536 of 2009 be restored to its original filed, with condition that order dated 14-05-2010 passed in S.A. No. 536 of 2009 must be complied with within a period of two weeks, failing which, S.A. No. 536 of 2009 shall stand dismissed without further reference to a bench.

(Rakesh Kumar, J.)

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