

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.256 of 2016

In
Miscellaneous Appeal No.86 of 2011

=====

Md. Aslam

... .. Petitioner/s

Versus

Hamidun Nissa & Anr

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha No-1, Advocate

For the Respondent/s : Mr. Nawabzada Syed Md. Babors Hayet Quadr, Adv.

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

3 21-03-2018 **I.A.No.532 of 2016**

Heard.

This interlocutory application has been filed for condoning the delay in preferring this restoration application.

No counter affidavit is filed on behalf of respondents.

For the reasons mentioned in this interlocutory application, we are satisfied that the appellant-petitioner was prevented by sufficient cause in preferring this appeal within time.

As a result, this interlocutory application is allowed and the delay in filing this application is hereby condoned.

M.J.C.No. 256 of 2016

Heard.



This application has been filed for restoration of M.A.No.86 of 2011 which stood dismissed for non-prosecution on 09.07.2014.

On being satisfied with the reasons mentioned in this application explaining omission on part of the appellant-petitioner, the same is allowed and M.A.No.86 of 2011 is restored to its original file and number subject to the condition that a cost of Rs.2500/- will be paid by the appellant-petitioner to the respondent no.1 within a period of two weeks. If the cost is paid and the receipt showing a payment of cost is filed within a period of two weeks, then let M.A.No.86 of 2011 be listed under the appropriate heading immediately.

(Dr. Ravi Ranjan, J)

(Prakash Chandra Jaiswal, J)

V.K.Pandey/-

U			
---	--	--	--

