

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.725 of 2018

In
Second Appeal No.31 of 2004

-
1. Sitaram Pandit, son of Late Lachchu Pandit
 2. Ram Ekbal Pandit, son of Late Lachchu Pandit
 3. Shyam Babu Pandit, son of Late Bhagwan Pandit,
All Resident of Village- Baharmarar, P.S.- Parsa, District- Saran
at Chhapra.

... .. Petitioner/s

Versus

1. Ram Sharan Pandit son of Late Pragas Pandit
2. Rokha Pandit (since dead), son of Late Damari Pandit
3. Ramesh Pandit, son of Late Rokha Pandit.
4. Suresh Pandit, son of Late Rokha Pandit.
5. Jagarnath Pandit, son of Late Donari Pandit,
All Resident of Village- Baharmarar, P.S.- Parsa, District- Saran at Chhapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar
For the Respondent/s : Mr. Ranjan Kumar Dubey

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-03-2018 Though the present application for restoration has been placed under the heading ‘For Orders (On Office Notes)’, with certain defects pointed out, with the consent of the parties, the application is being disposed of on merits at this stage itself.

This application has been filed, under Section 151 of the Code of Civil Procedure, 1908, for restoration of Second Appeal No. 31 of 2004, which stood dismissed for delayed compliance of the peremptory order, dated 30.11.2017.

In the interest of justice, I consider it fit to allow this application by extending the peremptory time, allowed by order,



dated 30.11.2017, to 2.02.2018, when the appellants are said to have complied with the said peremptory order.

Accordingly, Second Appeal No. 31 of 2004 shall not be treated to be dismissed as against the proposed respondent no. 2 (a).

Let the Office takes steps for issuance of notice on the basis of requisites filed in Second Appeal No. 31 of 2004.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

U	✓		
---	---	--	--

