

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1229 of 2019

In

Miscellaneous Appeal No.398 of 2014

Shri Ram General Insurance Co Ltd, through Manager, E-8, EPIP, RIICO Industrial Area, Sitapura, Jaipur (Rajasthan)-302022.

... .. Petitioner/s

Versus

1. Pramila Devi W/o Late Hiralal Yadav Resident of Village-Dudhami, P.S-Indrapuri, District-Rohtas
2. Vikash Kumar Yadav Son of Late Hiralal Yadav minor under the guardianship of Respondent no.1. Resident of Village-Dudhami, P.S-Indrapuri, District-Rohtas
3. Dipak Kumar Son of Late Hiralal Yadav minor under the guardianship of Respondent no.1. Resident of Village-Dudhami, P.S-Indrapuri, District-Rohtas
4. Manorma Kumari D/o Late Hiralal Yadav minor under the guardianship of Respondent no.1. Resident of Village-Dudhami, P.S-Indrapuri, District-Rohtas
5. Shanti Devi W/o Rambishun Singh alias Ramashish Singh Resident of Village-Dudhami, P.S-Indrapuri, District-Rohtas
6. Prakash Chandra Das Son of Krishna Chandra Das Resident of Sri Krishna Nagar, Lanjipalli, Behrampur Ganjam, Orissa.
7. Branch Manager, Oriental Insurance Company Ltd, Resident of Sasaram, P.O. and P.S-Sasaram, District-Rohtas.
8. Rajesh Prasad Yadav Son of Ram Bali Yadav Resident of Village-Tangarmarhi, PO-Balrampur, District-Saryuga, Chatisgarh.

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar @ Alok Kr. Shahi
For the Opposite Party/s : Mr.Sanjay Singh

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

3 01-05-2019 This petition has been filed for restoration of Miscellaneous Appeal No. 398 of 2014 which stood dismissed due to non compliance of peremptory order dated 16.02.2017 by which and whereunder petitioner who was appellant in Miscellaneous Appeal No. 398 of 2014 was directed to remove



the defects as pointed out by the office within two weeks.

However, the petitioner failed to remove the defects within the above stated period of two weeks. As a result of which Miscellaneous Appeal no. 398 of 2014 stood dismissed due to non compliance of peremptory order of this Court.

Learned counsel for the petitioner points out that the typed copy of award under appeal and the relevant pages have already been filed before the office of this Court on 24.04.2019 and so far as defect nos. 1, 2, 3 and 7 of Miscellaneous Appeal no. 398 of 2014 are concerned, the same have already been removed in the year 2014.

In view of the aforesaid submission, this restoration petition is allowed and, accordingly, Miscellaneous Appeal No. 398 of 2014 is restored to its original file and number.

In the aforesaid manner, this petition stands disposed of.

N.K/-

(Hemant Kumar Srivastava, J)

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