

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3231 of 2017

Nand Lal Singh @ Badari Singh

... .. Petitioner/s

Versus

Raghubansh Singh and Ors

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-02-2019 Heard Sri Rajesh Kumar Singh, learned counsel for the petitioner.

The present restoration petition has been filed for restoring Miscellaneous Appeal i.e. M.A. No. 545 of 2013, which stood dismissed due to non-compliance of peremptory order dated: 09.09.2014. In Miscellaneous Appeal three weeks peremptory time was granted for removing defects on 09.09.2014. Since order was not complied with, Miscellaneous Appeal stood dismissed. After more than three years the present restoration petition was filed. Along with restoration petition an interlocutory application vide I.A. No. 6871 of 2018 has been filed under Section 5 of the Limitation Act for condoning delay. In filing restoration petition delay of three years twenty nine days has occurred. Delay has not been appropriately explained in the petition, and as such, there is no reason to allow the



limitation petition and consequently the restoration petition too
stands dismissed.

(Rakesh Kumar, J)

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