

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1175 of 2018

In
SECOND APPEAL No.455 of 1990

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1. Ramautar Singh Son of Gujai Singh Resident of Village- Makerdahi, Pargana-Malkani Sub Registry-Teghra Sub Division and District-Begusarai
 2. Ram Narayan Singh Son of Gujai Singh Resident of Village- Makerdahi, Pargana-Malkani Sub Registry-Teghra Sub-Division and District-Begusarai
 3. Sunil Kumar Singh Son of Ram Narayan Singh Resident of Village- Makerdahi, Pargana-Malkani Sub Registry-Teghra Sub-Division and District-Begusarai

... .. Petitioner/s

Versus

1. Baldeo Mahto Son of Late Palak Mahto Resident of Village-Makerdahi, at present residing at Ulao, Pargana Malki, sub-Division and District-Begusarai
2. Ganesh Mahto Son of Late Palak Mahto Resident of Village-Makerdahi, at present residing at Ulao, Pargana Malki, sub-Division and District-Begusarai
3. Suresh Mahto Son of Batoran Mahto Resident of Village-Makerdahi, at present residing at Ulao, Pargana Malki, sub-Division and District-Begusarai
4. Ram Prakash Singh Son of Sri Shiya Ram Singh Resident of Village-Makerdahi, P.S. Barauni, District-Begusarai
5. Navin Singh Son of Sri Shiya Ram Singh Resident of Village- Makerdahi, P.S. Barauni, District-Begusarai
6. Pravin Singh Son of Sri Shiya Ram Singh Resident of Village- Makerdahi, P.S. Barauni, District-Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Mishra
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 16-08-2019 This application has been filed seeking restoration of S.A. No. 455 of 1990 which stood dismissed for non-prosecution and non-compliance of order dated 04.09.2015.

Notices were issued to opposite parties and have been treated to have been validly served on all of them by order dated



19.07.2019. Despite valid service of notice, the opposite parties have not entered appearance.

The application seeking restoration contains explanation for delay of nearly two months and three days in filing this restoration application.

An interlocutory application has been filed being I.A. No. 8383 of 2018 seeking condonation of delay in filing the restoration application.

Considering the facts and circumstances, this application is allowed. Let S.A. No. 455 of 1990 be restored to its original file. Delay in filing the restoration application stands condoned. I.A. No. 8383 of 2018 stands allowed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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