

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1773 of 2018

In
SECOND APPEAL No.243 of 1996

Most. Bibi Zohra Khatoon Wife of Abdul Zahhar, Resident of Village-
Gopalganj, P.S. Ghoi, District-Jehanabad

... .. Petitioner/s

Versus

1. Ashok Sao
2. Ajay Sao
Both Sons of Late Haricharan Sao, Resident of Village-Panapur Lakha, P.S.-
Ghoshi, District-Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ray Saurabh Nath, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

9 21-08-2019 Heard learned counsel for the parties.

This application is for setting aside the dismissal of Second Appeal No.243 of 1996 dismissed by order dated 15.02.2018. The second appeal was dismissed for non-prosecution due to non-appearance of learned counsel for the appellant. The reason for non-appearance is mentioned in para-4 of the petition.

Hence, for substantial justice, the dismissal is set aside and the Second Appeal No.243 of 1996 is restored to its original file on payment of cost of Rs.4,000/- (Four thousand) to be paid to the respondents.



Accordingly, the application stands allowed.

(Birendra Kumar, J)

Mkr./-

U			
---	--	--	--

