

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.38 of 2015

=====

Bhagwat Prasad Singh. Son of Late Ragho Singh. Resident of village and
P.O.- Cheron, P.S.- Sarmera, District - Nalanda.

... .. Petitioner/s

Versus

Kishori Sao. Son of Late Haridayal Sao. Resident of village and P.O.- Cheron,
P.S.- Sarmera, District - Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Nandan Prasad
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-01-2019

Heard the parties.

(2) By the impugned order, ex.-parte decree passed in
Money Suit No.1 of 1998 on 06.04.1999 was set aside on
16.01.2015 on the prayer of the opposite party in Misc. Case
No.16 of 2012.

(3) After hearing the parties, this Court is not inclined to
interfere with the impugned order except to the extent that cost of
Rs.1000/- awarded by the Court below is revisable to the extent of
Rs.25,000/- considering the delayed prayer after 12 years, made by
the opposite party and harassment caused to the petitioner. The
cost shall be paid within three months from today.

(4) This Order has been passed in presence of learned
counsel for the opposite party. The Court below is directed that
unless the cost is deposited, the suit cannot be treated as restored.



In the event of restoration of the suit, the Court below shall expeditiously dispose of the same preferably within six months. If any party does not cooperate, the Court below shall proceed according to law.

(5) With the aforesaid observation, the revision application stands disposed of.

sanjeev/-

(Birendra Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16/01/2019
Transmission Date	NA

