

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.107 of 2017

In
Second Appeal No.40 of 2003

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1. Md. Zahair @ Zahir Hussain @ Hakim Zahir Hussain
 2. Mainuddin @ Mainuddin Hussain @ Md. Mainuddin Hussain
 3. Md. Muslim @ Muslim Hussain All Sons of Aziz Mia resident of Kadirpur, P.S. Jalalpur, Now Mohalla - Ratanpura, P.S. Bhagwan Bazar, District - Saran.

... .. Petitioner/s

Versus

1. Abdur Rahman @ Abibul Rehman
2. Not known widow of Late Dr. Nazamuddin
3. Nazre Imam
4. Nesar Ahmad @ Nisar Ahmad All Sons of Dr. Nezamuddin
5. Sakil Begum @ Munni
6. Madina Begum
7. Zarina Begum
8. Chanda Khatoon All daughters of late Dr. Nezamuddin
9. Manir Ahmad son of Abdul Razzaque All residents of village - Ratanpura, P.S. - Bhagwan Bazar, District - Saran.
10. Md. Tahir @ Md. Tahir Hussain Son of Aziz Mia and resident of Kadirpur, P.S. Jalapur, Now Mohalla - Ratanpura, P.S. - Bhagwan Bazar, District - Saran.
11. Ainul @ Ainul Khatoon D/o Aziz Mian and Wife of Md. Rashid resident of Village - Khairah, P.S. - Jalapur, District - Saran.

... .. Opposite parties

Appearance :

For the Petitioner/s	:	Mr.Md. Anis Akhtar
For the Respondent/s	:	Mr. Mahesh Narain Parbat, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 02-01-2019 Before the second appeal could be taken up for hearing under Order 41 Rule 11 of the CPC, this case stood dismissed for default for non-compliance of a peremptory order of this Court. In this background, the present restoration application has been filed.

I have heard Mr. Anis Akhtar, the leaned counsel for



the petitioners and Mr. Parbat, learned counsel, appearing for some of the opposite parties.

Upon going through the restoration application, in the interest of justice, I allow the same and restore S.A. No. 40 of 2003 to its original file.

(Chakradhari Sharan Singh, J)

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