

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3295 of 2017

In
First Appeal No.211 of 2012

=====

Sri Lala Sao & Anr

... .. Petitioner/s

Versus

Smt. Chandrakala Devi

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1
For the Respondent/s : Smt. Sudha Ambastha

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA

ORAL ORDER

7 09-01-2019 This petition has been listed under the heading for orders on office note but from perusal of the office note dated 8.1.2019, it would appear that office reported that his petition be listed under the heading for orders on petition. Moreover, learned counsel appearing for the petitioners submits that this petition should be disposed of today.

This petition has been filed for restoration of FA no. 211/2012 which stood dismissed on 9.10.2017 due to non-appearance of the appellants.

Learned counsel appearing for the applicants submits that the above stated FA no. 211/2012 was listed on 9.10.2017 under the heading for hearing but unfortunately, learned counsel of the appellants met an accident that was the reason he could not appear before the court when the appeal was taken up for



hearing.

The record goes to show that notice was issued to opposite party and the notice was received by her husband. The applicant has filed affidavit of jointness to show that opposite party and her husband are residing jointly.

In view of the aforesaid facts and circumstances as well as submissions advanced on behalf of the applicants, this petition stands allowed and accordingly, FA no. 211/2012 is restored to its original number.

In the aforesaid manner, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

s.hassan/-

U			
---	--	--	--

