

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2110 of 2019

In
Miscellaneous Appeal No.1197 of 2016

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Tulsi Kumar Saw S/o Khushiyaal Saw R/o Village Belgada, District Chatra,
State- Jharkhand, presently residing at Q.No. T- IV/17C Anukiran Colony,
Rawatbhata, District Chittorgarh, Rajasthan.

... .. Petitioner

Versus

Punam Kumari D/o Brajkishore Prasad R/o Vill-Gangapur, P.S.-Kurtha, Dist-
Jehanabad, Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Vinay Mistry

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH)

4 14-01-2020 The defect pointed out by the Stamp Reporter is

ignored.

Heard learned counsel for the petitioner.

This application has been filed by the petitioner for
restoration of M.A. No. 1197 of 2016, which was dismissed for
want of prosecution vide order dated 10.05.2019.

It is submitted by learned counsel for the petitioner
that on 10.05.2019 inadvertently the case could not be marked
by the advocate clerk resulting into non-appearance of the
advocate appearing for the petitioner when the case was called
out. He contended that non-appearance of the advocate on



behalf of the petitioner was neither intentional nor deliberate and if the application would not be restored, the petitioner would suffer irreparable injury.

Considering the submissions made above, the application is allowed. M.A. No. 1197 of 2016 is restored to its original file.

(Ashwani Kumar Singh, J)

(Partha Sarthy, J)

Pradeep/-

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