

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1735 of 2014

In
SECOND APPEAL No.294 of 2011

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Md. Sharfuddin son of Late Abdul Rasheed resident of Mohalla - Danka Kucha, P.S. Khajekalan, District - Patna

... .. Petitioner/s

Versus

Md. Umar son of Late Hingu Mian resident of Mohalla - Danka Kucha, P.S. Khajekalan, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 13-02-2020 This petition is filed for restoration of Second Appeal No.294 of 2011 which was dismissed for non-compliance of conditional order dated 24.04.2013 passed in M.J.C.No.6776 of 2012.

It appears that Second Appeal No.294 of 2011 was dismissed due to non-filing of the certified copy of the judgment under appeal. The petitioner filed M.J.C. No.6776 of 2012. A Bench of this Court allowed the restoration petition and restored Second Appeal No.294 of 2011 with a condition to file certified copy of the trial court judgment within three weeks but since the petitioner could not be able to file the certified copy of the trial court judgment because the same was not made available to the petitioner, even though the petitioner filed requisites for



obtaining the certified copy on the ground that the record was not available.

Having been satisfied by the reasons stated in the petition for not complying the order dated 24.04.2013 passed in M.J.C. No.6776 of 2012, the restoration petition is allowed. The petitioner has already obtained the certified copy of the trial court judgment. Second Appeal No.294 of 2011 is restored to its original file.

(Prabhat Kumar Jha, J)

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