

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.735 of 2016

In
FIRST APPEAL No.354 of 1990

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1. Manju Devi Wife of late Ram Sagar Singh
 2. Tuntun Singh son of late Ram Sagar Singh
 3. Saroj Devi, Daughter of late Ram Sagar Singh, Wife of Ram Uday Singh
All are resident of Village-Chhoda Bahdarpur , Police Station- Mufassil,
Begusarai in the district of Begusarai.
 4. Gunjan Devi, Daughter of late Ram Sagar Singh, Wife of Ram Niwas
Sharma, resident of Village- Pasahi Faridpur , Police Station -Janipur in the
District of Patna.

... .. Petitioner/s

Versus

1. Dasrath Prasad Singh Son of Sri Chandra Shekhar Prasad Singh
2. Sri Pramod Singh Son of Sri Shiva Nandan Prasad Singh
Both are resident of Village- Chooda Bahadarpur , Police Station Begusarai
in the district of Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-02-2020 Heard both sides.

This petition is for setting aside order dated 02.08.2011 by which First Appeal No.354 of 1990 has been dismissed as abated as a whole on account of non-substitution of legal heirs of sole appellant.

Learned counsel for the petitioners submits that the sole appellant died and the petitioners had no knowledge about the pendency of the appeal. When the petitioners knew about abatement and dismissal of the appeal, the petitioners filed



petition for restoration of appeal.

Having been satisfied with the reasons stated in the petition, the restoration petition is allowed, order dated 02.08.2011 is recalled and First Appeal No.354 of 1990 is restored to its original file.

(Prabhat Kumar Jha, J)

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