

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.650 of 2017

In
SECOND APPEAL No.469 of 1999

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- 1.1. Smt. Chandra Prabha Devi, w/o Late Kaushal Kumar,
1.2. Mritunjay Kumar, son of Late Kaushal Kumar,
1.3. Puranjay Kumar, son of Late Kaushal Kumar,
1.4. Ashutosh Kumar, son of Late Kaushal Kumar,
All are resident of Mohalla- Quamruddinganj, Biharshariff Town, P.S.-
Laheri Murarpur, District- Nalanda.

... .. Petitioner/s

Versus

1. Afroj Alam
2. Jamal Nasir @ Janat Nasir,
3. Md. Ayaz,
All are sons of Md. Abdul Hassan, resident of Mohalla- Shekhana Khurd,
PO and P.S.- Biharsharif, District- Nalanda, at present C/o Janta Hardware
and Pipeco, Mohalla- Quamruddinganj, PO- Biharsharif, P.S.- Laheri
Murarpur, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Opposite Party/s : Mr.Mahendra Prasad Bhartee

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

8 20-02-2020 Heard learned counsel for the petitioners.

Nobody appears on behalf of the opposite parties even
after the notice having been validly served on them.

Learned counsel for the petitioners submits that
Mr. Arun Kumar, learned counsel for the appellants of Second
Appeal No.469 of 1999 had gone to T.M.Hospital, Mumbai for
the treatment of his family member, who was suffering from
cancer and that is why he could not appear on 23.09.2016



resulting in dismissal of the second appeal due to non-prosecution.

Having been satisfied with the reasons stated in the petition, this restoration petition is allowed. Second Appeal No.469 of 1999 is restored to its original file.

(Prabhat Kumar Jha, J)

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