

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1821 of 2018

In
Miscellaneous Jurisdiction Case No.1410 of 2016

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Chandravanshi Kuer W/o Late Pawan Kumar Pandey, Resident of Village-
Bandu, P.O.- Dara Nara, P.S.- Nauhatta, District- Rohtas.

... .. Petitioner/s

Versus

1. Shankar Nath Pandey
2. Vishwanath Pandey, Both sons of Late Beni Madhav Pandey.
3. Shayampati Devi, W/o Shankar Nath Pandey
4. Sakuntala Devi, W/o Shiv Nath Pandey, All Resident of Village- Bandu,
P.O.- Dara Nagar, P.S.- Nauhatta, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner : None

For the Opposite Parties :

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-11-2022 None appears on behalf of the petitioner to press this
restoration application.

This application has been filed for restoration of MJC
No.1410 of 2016 which stood dismissed for non-prosecution
vide order dated 29.11.2017.

For the reasons mentioned in this application, it is
allowed and MJC No. 1410 of 2016 is restored to its original
file.

MJC No. 1410 of 2016

This application has been filed for restoration of
CWJC No.19849 of 2011 which stood dismissed for non-



prosecution vide order dated 22.02.2016.

For the reasons mentioned in this application, it is allowed and CWJC No.19849 of 2011 is restored to its original file.

CWJC No.19849 of 2011

The present writ petition has been filed against the order dated 29.09.2011 and the consequential order dated 12.10.2011 passed by the Sub-Judge III, Rohatas at Sasaram in Title Suit No.142 of 1990 by which the Court has ordered to mark photo copy of the deed gift as secondary evidence and has directed the plaintiff-respondent 1st set to adduce the evidence.

In the opinion of this Court, the value of the secondary evidence can be considered in the final hearing of the case and if the petitioner has any objection to the photo copy of the gift deed, the same can be raised in the final arguments.

In view of the above, there is no merit in the writ application and in the opinion of this Court, there is no jurisdictional error in the impugned orders.

This writ petition is, accordingly, dismissed.

(Sandeep Kumar, J)

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