

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1551 of 2017

In
SECOND APPEAL No.498 of 2009

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Sri Saryug Prasad @ Saryu Mahto and Ors

... .. Petitioner/s

Versus

Sri Rajendra Prasad and Ors

... .. Opposite Party/s

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Appearance :

For the Petitioners : Mr.Rewti Kant Raman, Advocate

For the Opposite Parties :

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 02-09-2022 I.A. No. 4051 of 2017

This interlocutory application has been filed for
condonation of delay in filing the substitution petition.

For the reasons mentioned in the interlocutory
application, it is allowed and delay in filing the substitution
petition is condoned.

I.A. No. 7666 of 2017

This interlocutory application has been filed for
substitution of the heirs and legal representatives of petitioner
no.1, namely, Sri Saryug Prasad @ Saryu Mahto who died on
09.07.2017.

In view of the subsequent developments, the
interlocutory application is allowed and the name of petitioner
no.1 is expunged from the array of the parties. Substitution of



the heirs and legal representatives of petitioner no.1 is not required as petitioner nos.2 and 3 are already on record.

M.J.C. No.1551 of 2017

Heard the parties.

This application has been filed for restoration of Second Appeal No. 498 of 2009 which stood dismissed for non-compliance of the peremptory order dated 13.09.2012.

For the reasons mentioned in this application, it is allowed and Second Appeal No. 498 of 2009 is restored to its original file.

(Sandeep Kumar, J)

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