

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1936 of 2017
In
SECOND APPEAL No.319 of 2004

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Urmila Kumari Daughter of Baldev Ram, through her guardian original Mother Kishori Devi, wife of Ramdev Pd., resident of Mohalla- Mahadeva Road, Arrah, Bhojpur.

... .. Petitioner/s

Versus

1. Sarju Ram son of Late Rudal Ram, resident of Mohalla- Mahadeva, P.S.- Arrah Town in the District of Bhojpur.
2. Jhalo Kunwar, wife of Late Ganga Ram, daughter of Ramchandra Ram, resident of Mohalla- Raujapur, Sasaram, P.S.- Sasaram at Rohtas, at present resident of Mohalla- Bind Toli, P.S. Arrah Town in the district of Bhojpur at Arrah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-08-2022

Re:- I.A. No. 4902 of 2017

This Interlocutory Application has been filed for condonation of delay in filing Miscellaneous Jurisdiction Case for restoration of Second Appeal No. 319 of 2004, which stood dismissed for non-compliance vide order dated 05.09.2016.

For the reasons mentioned in this Interlocutory Application, it is allowed. Delay in filing Miscellaneous Jurisdiction Case for restoration of Second Appeal No. 319 of 2004 is condoned.



Re:- I.A. No. 2 of 2021

This Interlocutory Application has been filed for substitution of heirs and legal representatives of opposite party no. 1 namely Saryug Ram who died on 28.11.2020 leaving behind his heirs and legal representatives, whose names are mentioned in paragraph no. 3 of this application.

This Interlocutory Application is allowed. Let the heirs and legal representatives of opposite party no. 1 namely Saryug Ram as mentioned in paragraph no. 3 of this Interlocutory Application be substituted in his place and the name of opposite party no. 1 be expunged from the array of the parties.

Re:- MJC No. 1936 of 2017

Heard the parties.

This application has been filed for restoration of Second Appeal No. 319 of 2004, which was dismissed for non-compliance of the order dated 05.09.2016.

For the reasons mentioned in this application, it is allowed and Second Appeal No. 319 of 2004 is restored to its original file.

(Sandeep Kumar, J)

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