

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.90 of 2020

In
SECOND APPEAL No.35 of 2006

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Dr. Lallan Prasad Singh @ Lallan Prasad Sinha (since dead), Son of Late Gaya Prasad, resident of Village- Mogal Biraichha, Pergana- Dangeri, Police Station- Barauli, District- Gopalganj, at present Homeopathic Clinic at Yadopur Road, Gopalganj, Police Station-Gopalganj, District-Gopalganj.

... .. Petitioner

Versus

1. Narbada Devi, Wife of Late Gurudeo Narain, resident of Satiabad, Police Station- Baikunthpur, District- Gopalganj. *(Since dead and deleted from the Memorandum of Appeal vide order dated 26.02.2008 passed in S.A. No. 35 of 2006).*
2. Laxmi Devi, Wife of Harendra Prasad, resident of Satiabad, Police Station- Baikunthpur, District- Gopalganj.
3. Kiran Srivastava, Wife of Sudhir Kumar Srivastava, resident of Village- Hari Nagar, Sugar Mill, Police Station- Ram Nagar, District- West Champaran.
4. Munni Saran, Wife of Krishna Murari Saran, resident of Village- Mugal Biraicha, Police Station- Barauli, District- Gopalganj.
5. Meena Narain, Wife of Anugrah Narain, resident of Village- Brahmantoli, P.O. and P.S. Muzaffarpur, District- Muzaffarpur.
6. Geeta Srivastava, Wife of Narendra Kumar Srivastava, resident of Village- Pipra, Police Station- Yarkulawa, P.O. Bathara Mahuari, District- Deoria.
7. Shambhu Saran Srivastava, Son of Late Mangal Prasad, resident of Village- Sareya Hussi, Police Station and District- Gopalganj.
8. Umrawati Devi, Wife of Ramesh Kumar, Daughter of Suryadeo Prasad, resident of Village- Kishunpura, Pargana- Barai, P.S. and P.O. Basantpur, District- Siwan.
9. Gayatri Devi Wife of Raj Kishore Prasad daughter of Suryadeo Prasad, resident of Village- Kishunpura, Pargana- Barai, P.S. and P.O. Basantpur, District- Siwan.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Ghosarvey, Advocate
For the Opposite Parties : Mr. Gyan Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-03-2023

Re.: I.A. No. 01 of 2022:

Heard learned counsel for the petitioner and learned



counsel for the opposite parties.

The aforesaid Interlocutory Application has been filed for condonation of delay of 02 days in filing the instant restoration application i.e., M.J.C. No. 90 of 2020.

On the grounds mentioned in the aforesaid Interlocutory Application, delay in filing the instant restoration application i.e., M.J.C. No. 90 of 2020 is condoned.

Accordingly, the instant I.A. No. 01 of 2022 stands allowed.

Re. M.J.C. No. 90 of 2020:

The present M.J.C. application has been filed for restoration of S.A. No. 35 of 2006 to its original file which was dismissed for non-prosecution on 09.12.2019.

Considering the grounds as indicated in the instant M.J.C. application, S.A. No. 35 of 2006 is restored to its original file.

Accordingly, the instant M.J.C. No. 90 of 2020 is allowed.

(Sudhir Singh, J)

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