

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2601 of 2017

In
SECOND APPEAL No.316 of 2013

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Nand Gopal Singh Son of Deo Govind Singh Resident of Village - Amarain,
P.O. - Amarain Nawada, P.S. - Bihiya, District - Bhojpur at Ara.

... .. Petitioner/s

Versus

1. Bhola Nath Singh.
2. Amar Singh both sons of Thakur Prasad Singh
3. Thakur Prasad Singh Son of Late Ram Govind Singh All residents of village
- Amarain, P.O. Amarain Nawada, P.S. - Bihiya, District - Bhojpur at Ara.
4. Tribhuan Singh Son of Gorakh Nath Singh
5. Umesh Singh Son of Late Ravindra Singh Both Sl. No. 4 and 5 are residents
of village - Amarain, P.O. Amarain Nawada, P.S. - Bihiya, District - Bhojpur
at Ara.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Surendra Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-11-2023 Heard Mr. Bipin Kumar Sinha, learned counsel

appearing on behalf of the petitioner and learned counsel for the

State.

2. The present application has been filed for
restoration of I.A. No. 3635 of 2014, which stood dismissed for
non-compliance of the peremptory order passed by a Bench of
this Court.

3. It is submitted that though, this Court has passed
the peremptory order on 07.10.2015, but the same could not be



complied in time and some delay has occurred, which resulted into dismissal of the I.A. No. 3635 of 2014. Averments have been made in the restoration application that on account of negligence on the part of the advocate clerk, the order of this Court could not be complied.

4. Considering the submissions advanced on behalf of the petitioner and the averments made in the application for restoration, the present application stands allowed.

5. The interlocutory Application No. 3635 of 2014 stands restored to its original file of Second Appeal No. 316 of 2013.

(Harish Kumar, J)

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