

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.305 of 2023

In
CIVIL MISCELLANEOUS JURISDICTION No.88 of 2018

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1. Randhir Kumar Yadav Son of Late Ram Chandra Yadav, Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
 2. Suthri Devi Wife of Munilal Yadav, Resident of Village- Kurpat P.S.- Sabour District- Bhagalpur.
 3. Kalabati Devi Wife of Motilal Yadav, Resident of Village- Nagma, P.S.- Kahalgaon District- Bhagalpur.
 4. Binay Kumar Yadav Son of Late Uday Narayan Yadav, Resident of Village- Tetariya P.S. and District- Banka.

... .. Petitioner/s

Versus

1. Ramnath Yadav Son of Late Jhagru Yadav, X
2. Tatari Yadav Wife of Late Sheonath Yadav, X
3. Nirmala Devi Daughter of Late Sheonath Yadav and Wife of Shri Mithilesh Yadav, Resident of Village and P.O.- Bakiya P.S.- Barari, District- Katihar.
4. Mina Devi Daughter of Late Sheonath Yadav and Wife of Late Bhim Yadav, Resident of Village- Danapur P.O.- Danapur District- Patna.
5. Dinesh Yadav Son of Late Sheonath Yadav, Resident of Village- Sonu Tola, Kachahariya P.O.- Maul Tola P.S.- Pirpainti District- Bhagalpur.
6. Binod Yadav Son of Late Sheonath Yadav, Resident of Village- Sonu Tola, Kachahariya P.O.- Maul Tola P.S.- Pirpainti District- Bhagalpur.
7. Anita Devi Daughter of Late Sheonath Yadav and Wife of Shri Akhilesh Yadav, Resident of Village- Danapur P.O.- Danapur, District- Patna.
8. Kamal Kishore Yadav Son of Late Ram Keshwar Yadav, Resident of Village- Sonu Tola, Kachahariya P.O. and P.S.- Pirpainti District- Bhagalpur.
9. Sachidanand Yadav Son of Late Ram Keshwar Yadav, Resident of Village- Sonu Tola, Kachahariya P.O. and P.S.- Pirpainti District- Bhagalpur.
10. Ram Bishun Yadav Son of Late Ram Keshwar Yadav, Resident of Village- Sonu Tola, Kachahariya P.O. and P.S.- Pirpainti District- Bhagalpur.
11. Upendra Yadav Son of Late Ram Keshwar Yadav, Resident of Village- Sonu Tola, Kachahariya P.O. and P.S.- Pirpainti District- Bhagalpur.
12. Chulhai Devi Wife of Late Prabhudayal Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.
13. Sudarshan Yadav Son of Late Prabhudayal Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.
14. Sushila Devi Wife of Late Binay Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.
15. Kajal Priya Daughter of Late Binay Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.



16. Sonam Priya Daughter of Late Binay Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.
17. Vishal Raj Son of Late Binay Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.
18. Virat Raj Minor Son of Late Binay Yadav, Resident of Village- Sonu Tola, Kachahariya, P.S.- Pirpainti District- Bhagalpur.
19. Tarni Yadav X Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
20. Abhay Kumar Yadav X Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
21. Nagendra Yadav minor son is represented through his elder brother Tarni Yadav, Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
22. Soni Yadav Son of Late Ram Chandra Yadav, Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
23. Shashi Yadav Son of Late Ram Chandra Yadav, Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
24. Madhu Devi Daughter of Late Ram Chandra Yadav, Resident of Village- Mirzapur, P.S.- Manihari District- Katihar.
25. Rajendra Yadav Son of Late Devendra Yadav, Resident of village- Maharajganj Laheta, P.O.- Makduma P.S.- Banka District- Banka.
26. Harendra Prasad Yadav Son of Late Devendra Yadav, Resident of village- Maharajganj Laheta, P.O.- Makduma P.S.- Banka District- Banka.
27. Jai Shankar Prasad Yadav Son of Late Devendra Yadav, Resident of village- Maharajganj Laheta, P.O.- Makduma P.S.- Banka District- Banka.
28. Kanhailal Yadav Son of Late Devendra Yadav, Resident of village- Maharajganj Laheta, P.O.- Makduma P.S.- Banka District- Banka.
29. Smt. Lalita Devi Daughter of Late Devendra Yadav, Resident of village- Maharajganj Laheta, P.O.- Makduma P.S.- Banka District- Banka.
30. Indu Devi Daughter of Late Uday Narayan Yadav and Wife of Sri Ravi Kant Yadav, Resident of Village- Tetariya P.S. and District- Banka.
31. Sunaina Devi Daughter of Late Uday Narayan Yadav and Wife of Sri Jiyalal Yadav, Resident of Village- Kishanpur P.S. and Distict- Banka.
32. Phul Kumari Devi Daughter of Late Prabhudayal Yadav and Wife of Sri Shashikant Yadav, Resident of Village- Bayalpur, Kahalgaon P.S.- Kahalgaon District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek
For the Opposite Party/s : Mr.Deepak Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER



3 05-04-2023 This application has been filed for restoration of Civil Misc. No. 88 of 2018, which got dismissed for default due to non-compliance of the peremptory order dated 19/12/2022.

Learned counsel for the petitioners submits that requisites for issuance of notices upon the respondent nos. 3, 4, 7, 30 & 31 were filed just after expiry of peremptory period. Accordingly, Civil Misc. No. 88 of 2018 was dismissed due to non compliance of peremptory order.

Taking into consideration the aforesaid submissions, Civil Misc. No. 88 of 2018 is restored to its original file.

Office is directed to issue notices upon the respondent nos. 3, 4, 7, 30 & 31 immediately.

(Anil Kumar Sinha, J)

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