

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.631 of 2023

In
CIVIL MISCELLANEOUS JURISDICTION No.1562 of 2018

Shri Krishna Prasad Singh Son of Late Raghuraj Singh, residence of Village-
Lakhanpar, Police Station- Poonpooon, P.O. Lkhanpar, District- Patna at
Present residing in B.K.S.U. Bhawan Pach Kauri Lane, Police Station-
Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. Renu Devi Wife of Jai Prakash Singh, D/o Late Raghuraj Singh, Resident of Village and P.O. Lakhapar, P.S. Poonpooon, District- Patna at Present residing in B.K.S.U. Bhawan, Pach Kauri Lane, P.S. Kadam Kuan, District- Patna- 800003
2. Manju Devi Wife of Birendra Kumar Rai, D/o Late Raghuraj Singh, Resident of Village and P.O. Lakhapar, P.S. Poonpooon, District- Patna at Present residing in B.K.S.U. Bhawan, Pach Kauri Lane, P.S. Kadam Kuan, District- Patna- 800003
3. Smt. Devanti Devi Widow of Late Bindhyachal Singh, Resident of Village and P.O. Lakhapar, P.S. Poonpooon, District- Patna at Present residing in B.K.S.U. Bhawan, Pach Kauri Lane, P.S. Kadam Kuan, District- Patna- 800003
4. Chandra Shekhar Son of Late Bindhyachal Singh, Resident of Village and P.O. Lakhapar, P.S. Poonpooon, District- Patna at Present residing in B.K.S.U. Bhawan, Pach Kauri Lane, P.S. Kadam Kuan, District- Patna- 800003
5. Surendra Kumar Singh Son of Late Shri Raghuraj Singh, Resident of Village and P.O. Lakhapar, P.S. Poonpooon, District- Patna at Present residing in B.K.S.U. Bhawan, Pach Kauri Lane, P.S. Kadam Kuan, District- Patna- 800003
6. Shakuntala Devi Wife of Late Bindeshwari Singh, Resident of Village and P.O. Lakhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kadam Kuan (Nala Road), D Block, Holding No. 39/27, Kadam Kuan, P.O. Kadam Kuan, District Patna.
7. Shri Dinesh Kumar Son of Late Bindeshwari Singh, Resident of Village and P.O. Lakhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kadam Kuan (Nala Road), D Block, Holding No. 39/27, Kadam Kuan, P.O. Kadam Kuan, District Patna.
8. Shri Satish Kumar Singh Son of Late Bindeshwari Singh, Resident of Village and P.O. Lakhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kadam Kuan (Nala Road), D Block, Holding No. 39/27, Kadam Kuan, P.O. Kadam Kuan, District Patna.
9. Shri Ranjit Kumar Son of Late Bindeshwari Singh, Resident of Village and P.O. Lakhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kadam Kuan (Nala Road), D Block, Holding No. 39/27, Kadam Kuan, P.O. Kadam Kuan, District Patna.



10. Shri Shambhu Prasad Singh Son of Late Mit Narayan Singh, Resident of Village and P.O. Lskhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kankarbagh, Rental Flat No. 271, Police Station- Kankarbagh, P.O. Loihiya Nagar, District- Patna.
11. Smt. Rajia Devi Wife of Shambhu Prasad Singh, Resident of Village and P.O. Lskhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kankarbagh, Rental Flat No. 271, Police Station- Kankarbagh, P.O. Loihiya Nagar, District- Patna.
12. Shri Mukesh Kumar Singh Son of Shambhu Pd. Singh, Resident of Village and P.O. Lskhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kankarbagh, Rental Flat No. 271, Police Station- Kankarbagh, P.O. Loihiya Nagar, District- Patna.
13. Shri Rakesh Kumar Singh Son of Shambhu Pd. Singh, Resident of Village and P.O. Lskhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kankarbagh, Rental Flat No. 271, Police Station- Kankarbagh, P.O. Loihiya Nagar, District- Patna.
14. Shri Brajesh Kumar Singh Son of Shambhu Pd. Singh, Resident of Village and P.O. Lskhanpar, P.S. Poonpooon, District- Patna at present residing at Mohalla- Kankarbagh, Rental Flat No. 271, Police Station- Kankarbagh, P.O. Loihiya Nagar, District- Patna.
15. Baidyanath Singh Son of Late Janmejay Singh, Resident of Village- Asani, Police Station Udbantnagar, O.P. Asani, District- Bhojpur at Present residing at Mohalla- Berdhan Tola, Ara, P.O. and P.S. Ara Nawad, District- Bhojpur-802301
16. Vijay Kumar Singh Son of Late Janmejay Singh, Resident of Village- Asani, Police Station Udbantnagar, O.P. Asani, District- Bhojpur at Present residing at Mohalla- Berdhan Tola, Ara, P.O. and P.S. Ara Nawad, District- Bhojpur-802301
17. Shivaji Singh Son of Late Janmejay Singh, Resident of Village- Asani, Police Station Udbantnagar, O.P. Asani, District- Bhojpur at Present residing at Mohalla- Berdhan Tola, Ara, P.O. and P.S. Ara Nawad, District- Bhojpur-802301
18. Bucha Devi Daughter of Late Janmejay Singh and Wife of Late Chandra Bhushan Prasad Singh, Resident of Mohalla- Rajiv Nagar, Road No. 17, P.O. Rajiv Nagar, District- Patna.- 800004
19. Kaushalya Devi Wife of Thakur Ram Narayan Singh, Resident of Shankar Cold Storage Nasariganj, P.S. and P.O. Dnanapur, District- Patna.
20. Most. Rita Devi Widow of Late Umesh Kumar Singh, Resident of Village and P.O. Lakhanpar, Police Station- Poonpon, District- Patna at present residing in Hill View Apartment, Flat No. 106, Hari Shankar Puram near Muktanand Ashram, P.S. Jhari Road, Gwalior (M.P.)- 474001
21. Heena Singh Daughter of Late Umesh Kumar Singh, Resident of Village and P.O. Lakhanpar, Police Station- Poonpon, District- Patna at present residing in Hill View Apartment, Flat No. 106, Hari Shankar Puram near Muktanand Ashram, P.S. Jhari Road, Gwalior (M.P.)- 474001
22. Shanu Singh Daughter of Late Umesh Kumar Singh, Resident of Village and P.O. Lakhanpar, Police Station- Poonpon, District- Patna at present residing



in Hill View Apartment, Flat No. 106, Hari Shankar Puram near Muktanand Ashram, P.S. Jhari Road, Gwalior (M.P.)- 474001

23. Nilkanth Singh @ Mohit Kumar Minor son of Late Umesh Kumar Singh under the guardianship of her mother, Resident of Village and P.O. Lakhanpar, Police Station- Poonpon, District- Patna at present residing in Hill View Apartment, Flat No. 106, Hari Shankar Puram near Muktanand Ashram, P.S. Jhari Road, Gwalior (M.P.)- 474001

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mani
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-05-2023 The present application has been filed for restoration of Civil Miscellaneous No. 1562 of 2018 which got dismissed for default due to non compliance of the peremptory order passed by this Court on 12.10.2022.

Learned counsel for the petitioner submits that due to some misunderstanding the requisites for issuance of notice upon all the respondents were not filed within time and now the requisites for issuance of notice for all the respondents have been filed but after expiry of the time granted by this Court.

In view of the submissions made by the petitioner, this application is allowed and Civil Misc. No. 1562 of 2018 is restored to its original file subject to the condition that the office would verify the statement made by the petitioner and if the requisite for issuance of notice upon all the respondents have been filed, the office is directed to take steps for issuance of



notice upon the respective respondents.

It is made clear that if the order dated 12.10.2022 has not been complied fully, the petitioner shall comply the same within two weeks from today, failing which, the Civil Misc. 1562 of 2018 stands dismissed.

(Anil Kumar Sinha, J)

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