

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.882 of 2023

In
CIVIL MISCELLANEOUS JURISDICTION No.218 of 2020

Vijay Kumar Yadav @ Vijay Prakash Yadav S/o Late Lakshan Yadav Resident of Parwatiya Tola, Ward no. 5, P.O.- Bettiah, P.S.- Bettiah (M), Distt.- West Champaran- 845438.

... .. Petitioner/s

Versus

1. Prakash Tebariwal, Son of Late Kailash Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
2. Deepak Tebariwal, Son of Late Kailash Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
3. Bhanu Tebariwal, Son of Late Kailash Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
4. Smt. Bhawani Devi, Wife of the Judgal Kishore Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
5. Rajendra Tebariwal, Son of Late Jugal Kishore Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
6. Niranjana Tebariwal, Son of Late Jugal Kishore Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
7. Santosh Kumar Tebariwal, Son of Late Babulal Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
8. Anand Kumar Tebariwal, Son of Late Babulal Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
9. Prem Kumar Tebariwal, Son of Late Babulal Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
10. Jagnath Pd. Tebariwal alias Laloo Babu, Son of Late Bishwanath Pd. Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
11. Omnath Tebariwal, Son of Late Bishwanath Pd. Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
12. Loknath Tebariwal, Son of Late Bishwanath Pd. Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
13. Smt. Bimla Devi, Wife of Late Raghunath Prasad Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).



14. Rajesh Kumar Tebariwal, Son of Raghunath Prasad Tebariwal Resident of Vijay Kumar Yadav @ Vijay Prakash Yadav, Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
15. Gopal Tebariwal, Son of Raghunath Pd. Tebariwal Resident of Mohalla Dal Bazar, Bettiah, District P. West Champaran (P.O. and P.S.- Bettiah Town).
16. Raj Kumar Jhunjhunwala, Son of Late Rampal Jhunjhunwala Resident of Gullu Bara, Darbhanga, P.O. and P.S.- Darbhanga, District- Darbhanga.
17. Laxmi Narayan Jhunjhunwala, Son of Late Rampal Jhunjhunwala Resident of Gullu Bara, Darbhanga, P.O. and P.S.- Darbhanga, District- Darbhanga.
18. Anand Kumar Jhunjhunwala, Son of Late Rampal Jhunjhunwala Resident of Gullu Bara, Darbhanga, P.O. and P.S.- Darbhanga, District- Darbhanga.
19. Poonam Devi, Daughter of Late Rampal Jhunjhunwala Resident of Gullu Bara, Darbhanga, P.O. and P.S.- Darbhanga, District- Darbhanga.
20. Parbati Devi, Wife of Late Pasupatinath Khetan R/o Mohalla- Belbanwa Station Road, Motihari Town, P.O./- Motihari, District- East Champaran.
21. Prabhat Kumar Khetan, Son of Late Pashupatinath Khetan R/o Mohalla- Belbanwa Station Road, Motihari Town, P.O./- Motihari, District- East Champaran.
22. Dr. Prakash Khetan, Son of Late Pashupatinath Khetan R/o Mohalla- Belbanwa Station Road, Motihari Town, P.O./- Motihari, District- East Champaran.
23. Prabhakar Khetan, Son of Late Pashupatinath Khetan R/o Mohalla- Belbanwa Station Road, Motihari Town, P.O./- Motihari, District- East Champaran.
24. Amar Yadav, Son of Late Bhagar Yadav Resident of Village Balua Rampura A/p I.T.I. Colony Jai Prakash Nagar, P.S.- Bettiah, P.S.- Bettiah, Muffasil, District- West Champaran.
25. Indra Devi, Wife of Late Satan Yadav Resident of Village Balua Rampura A/p I.T.I. Colony Jai Prakash Nagar, P.S.- Bettiah, P.S.- Bettiah, Muffasil, District- West Champaran.
26. Soni Sourav (Minor), Daughter of Late Satan Yadav the natural guardian and Mother of Minors, Resident of Village Balua Rampura A/p I.T.I. Colony Jai Prakash Nagar, P.S.- Bettiah, P.S.- Bettiah, Muffasil, District- West Champaran.
27. Lucky Vijeta (Minor), Daughter of Late Satan Yadav the natural guardian and Mother of Minors, Resident of Village Balua Rampura A/p I.T.I. Colony Jai Prakash Nagar, P.S.- Bettiah, P.S.- Bettiah, Muffasil, District- West Champaran.
28. Bhaskar Kumar (Minor), Son of Late Satan Yadav the natural guardian and Mother of Minors, Resident of Village Balua Rampura A/p I.T.I. Colony Jai Prakash Nagar, P.S.- Bettiah, P.S.- Bettiah, Muffasil, District- West Champaran.
29. Anand Kumar, (Minor), Son of Late Satan Yadav the natural guardian and Mother of Minors, Resident of Village Balua Rampura A/p I.T.I. Colony Jai Prakash Nagar, P.S.- Bettiah, P.S.- Bettiah, Muffasil, District- West Champaran.



30. Prabha Devi, Wife of Sri Lalbabu Yadav, D/o Late Satan Yadav Resident of Karnghai Pachhim, P.O. and P.S.- Bettiah Town, District- West Champaran.
31. Sunaina Devi, Wife of Ganga Sagar, Daughter of Late Satan Yadav Resident of Jaukativa, P.O. and P.S.- Bairia, District- West Champaran.
32. Gyanti Devi, Wife of Rakesh Yadav, Daughter of Late Satan Yadav Resident of Village- Parukiya, P.O. and P.S.- Chanpatia, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gautam Kumar Yadav

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-06-2023 Learned counsel for the petitioner submits that all the defects as per the order dt: 26.09.2022 passed in C. Misc. No. 218 / 2020 has already been removed though after expiry of peremptory time.

MJC No. 882 / 2023

The present application has been filed for restoration of C. Misc. No. 218 / 2020 which stood dismissed for default due to non compliance of peremptory order dated 26/09/2022.

Taking into consideration the submission advanced by learned counsel for the petitioner, the present application is allowed.

Let C.Misc. No. 218 of 2020 be restored to its



original file.

(Anil Kumar Sinha, J)

praful/-

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