

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1459 of 2023

In
SECOND APPEAL No.178 of 2017

-
1. Pitamber Yadav son of Late Jarik Yadav, (died on 25.05.2018 and I.A. No. 4522/2018 (old), 1/2018 (New) filed on 22.06.2018 for substitution of Legal heirs).
 2. Satendra Yadav, (Male), aged about 42 years, Son of Pitamber Yadav, Resident of Village- Hasara Tola Sibaya, P.S. Fatehpur, District-Gaya.
 3. Meena Devi @ Most. Meena Devi, (Female), aged about 42 years, Wife of Late Arjun Yadav, Resident of village-Salaiya Kola, P.S. Fatehpur, District-Gaya.
 4. Upendra Kumar Yadav, (Male), aged about 33 years, Son of Late Arjun Yadav, Resident of village-Salaiya Kola, P.S. Fatehpur, District-Gaya.
 5. Mukendra Kumar @ Mukendra Kumar Yadav, (Male), aged about 25 years, son of Late Arjun Yadav, Resident of village-Salaiya Kola, P.S. Fatehpur, District-Gaya.
 6. Asha Kumari @ Smt. Asha Kumari, (Female), aged about 28 years, Wife of Sonu Kumar, Daughter of Late Arjun Yadav, Resident of Sri Nagar, P.S. Fatehpur, District-Gaya.
 7. Jagdish Yadav, (Male), aged about 65 years, Son of Late Jarik Yadav, Resident of Hasara Tola Sibana, P.O. Fatehpur, P.S. and Anchal Fatehpur, District- Gaya.
 8. Arvind Yadav, (Male), aged about 40 years, Son of Shree Jagdish Yadav, Resident of Hasara Tola Sibana, P.O. Fatehpur, P.S. and Anchal Fatehpur, District- Gaya.
 9. Rajan Yadav, (Male), aged about 70 years, Son of Late Biro Yadav, Resident of Salaiya Kalan Tola Tekari Khunt, P.O. Fatehpur, P.S. and Anchal Fatehpur, District-Gaya.

... .. Petitioners

Versus

1. Janaki Yadav, son of Late Ram Sahay Yadav, Resident of Salaia Kalan Tetar Khunt, P.S. Fatehpur, District-Gaya.
2. Horil Yadav, son of Late Gobind Yadav, Resident of Salaia Kalan Tetar Khunt, P.S. Fatehpur, District-Gaya.
3. Karu Yadav, son of Late Gobind Yadav, Resident of Salaia Kalan Tetar Khunt, P.S. Fatehpur, District-Gaya.
4. Kuleshwar Yadav, son of Late Gobind Yadav, Resident of Salaia Kalan Tetar Khunt, P.S. Fatehpur, District-Gaya.
5. Damodar Prasad Yadav, son of Late Brichh Yadav, Resident of Salaia Kalan Tetar Khunt, P.S. Fatehpur, District-Gaya.
6. Bhukhan Prasad Yadav, Son of Late Brichh Yadav, Resident of Salaia Kalan Tetar Khunt, P.S. Fatehpur, District-Gaya.



7. Ram Daiya Devi, Daughter of Late Brichh Yadav, Wife of Kishun Yadav, Resident of Purnadih, P.S. Fatehpur, District-Gaya.
8. Rukhiya Devi, Daughter of Late Brichh Yadav, wife of Ram Brichh Yadav, Resident of Sahjana, P.S. Fatehpur, District-Gaya.
9. Chandri Devi, Wife of Late Brichh Yadav, Wife of Uday Yadav, Resident of Siho, P.O. Guriama, P.S. Mohanpur, District-Gaya.
10. Jagdish Yadav, son of Late Gokhul Yadav, Resident of Salaiya Kalan Tol Tetar Khunt, P.O. Fatehpur, P.S. and Anchal-Fatehpur, District-Gaya.
11. Nanhku Yadav, son of Late Gokhul Yadav, Resident of Salaiya Kalan Tol Tetar Khunt, P.O. Fatehpur, P.S. and Anchal-Fatehpur, District-Gaya.
12. Kedar Yadav, son of Late Parmeshwar Yadav, Resident of Salaiya Kalan Tol Tetar Khunt, P.O. Fatehpur, P.S. and Anchal-Fatehpur, District-Gaya.
13. Mundrika Yadav, son of Late Parmeshwar Yadav, Resident of Salaiya Kalan Tol Tetar Khunt, P.O. Fatehpur, P.S. and Anchal-Fatehpur, District-Gaya.
14. Jiblal Yadav, son of Late Chhotu Yadav, Resident of Salaiya Kalan Tol Tetar Khunt, P.O. Fatehpur, P.S. and Anchal-Fatehpur, District-Gaya.
15. Ganesh Yadav, son of Late Chhotu Yadav, Resident of Salaiya Kalan Tol Tetar Khunt, P.O. Fatehpur, P.S. and Anchal-Fatehpur, District-Gaya.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Pramod Kumar, Advocate
For the Opposite Parties : Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-09-2023 Heard.

2. The present application has been filed for restoration of Second Appeal No. 178 of 2017 to its original file which was dismissed for default on 18.03.2020 for non-compliance of peremptory order dated 19.02.2020.

3. It has been submitted by learned counsel for the petitioners that the compliance of the order dated 19.02.2020 has already been made.

4. Considering the grounds as mentioned in the



restoration application, the present application stands allowed
and Second Appeal No. 178 of 2017 is restored to its original
file.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

