

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 2232 of 2023

In
SECOND APPEAL No.101 of 2019

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Deo Narayan Haith Son of Late Sundar Haith Resident of Village- Govindpur,
P.S.- Pratapganj, District- Supaul.

... .. Petitioner/s

Versus

Binodanand Jha Son of Late Budur Jha Resident of Village- Situhar, P.S.-
Pratapganj, District- Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 01-12-2023 Heard.

2. This restoration application has been filed for restoration of Second Appeal No. 101 of 2019 which stood dismissed for default on 18.04.2023 for non-compliance of the order dated 21.03.2023.

3. Learned counsel for the petitioner submits that due to mistake on the part of the petitioner's Advocate as well as Advocate's clerk, order was not complied. It is further submitted that four weeks' time was completed on 18.04.2022 and on the same day, Advocate for the petitioner has approached this Court for extension of time, but the case is taken up on 19.04.2023 and the same got dismissed for non-compliance of the order dated 18.04.2023.



4. In view of such submission, this Court would find sufficient cause for restoration of Second Appeal No. 101 of 2019. Accordingly, Second Appeal 101 of 2019 is restored to its original file and number.

5. Restoration petition is allowed.

6. Learned counsel for the petitioner is directed to comply the order dated 21.03.2023 within a week.

(Khatim Reza, J)

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