

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.484 of 2021

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Dinesh Sah, Son of Jogendra Sah, Resident of Village Ghurghura, PS-
Sonbarsa, Dist- Sitamarhi, presently residing at village-Rajopatti, PS and
Dist- Sitamarhi.

... .. Petitioner

Versus

1. Kalawati Devi, Wife of Ramchandra Chaudhary, Resident of Village Rajopatti, PS and Dist- Sitamarhi.
2. Bechani Devi Wife of Shyam Sundar Azad Resident of Village Rajopatti, PS and Dist- Sitamarhi.
3. Jagannath Das Son of Late Gena Das Resident of Village Jamua, PS Bairgania, Dist- Sitamarhi.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Respondent/s : Mr. Hans Lal Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 03-10-2023 Heard learned counsel for the petitioner.

2. None appears for the respondents.

3. By the impugned order dated 07.01.2019
passed by the Munsif Sadar, Sitamarhi, in Title Suit No.14 of
2022, the Title Suit has been dismissed on the ground that the
process for issuance of summons were not filed by the petitioner
within time. However, from the record, it appears that summons
were served upon the respondents on 17.11.2018.

4. In view of the aforesaid fact and also in the
interest of justice, this application is allowed. Accordingly, the
impugned order dated 07.01.2019 passed by the Munsif Sadar,



Sitamarhi, is set aside. The Title Suit No.14 of 2022 is restored to its original file. The Court below will proceed with the Title Suit in accordance with law.

(Sandeep Kumar, J)

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