

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1487 of 2024

In
Civil Writ Jurisdiction Case No.10413 of 2015

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1. Phulena Devi, W/o Late Ramadhar Upadhayay, Resident of Village- Sarotar, Tola- Puraina, P.O.- Sarotar , P.S.- Dumaria Champaran at Motihari Ghat, District- East.
 2. Ramswaroop Upadayay, S/O Shivlochan Upadhayay, Resident of Village- Sarotar, Tola- Puraina, P.O.- Sarotar , P.S.- Dumaria Champaran at Motihari Ghat, District- East.
 3. Akhilesh Upadhayay, Son of Ramswaroop Upadhayay, Resident of Village- Sarotar, Tola- Puraina, P.O.- Sarotar , P.S.- Dumaria Champaran at Motihari Ghat, District- East.
 4. Mithilesh Upadhayay, Son of Ramswaroop Upadhayay, Resident of Village- Sarotar, Tola- Puraina, P.O.- Sarotar , P.S.- Dumaria Champaran at Motihari Ghat, District- East.
 5. Rakesh Upadhyay, S/O Ramswaroop Upadhayay, Resident of Village- Sarotar, Tola- Puraina, P.O.- Sarotar , P.S.- Dumaria Champaran at Motihari Ghat, District- East.
 6. Kalawati Devi, W/o Madan Pandey, D/o- Late Shiv Lochan Upadhayay, Resident of Village- Sarotar, Tola- Puraina, P.O.- Sarotar , P.S.- Dumaria Champaran at Motihari Ghat, District- East.

... .. Petitioner/s

Versus

1. Vrigunath Tiwari, S/O Bikrama Tiwari, Resident of Mohalla-New Chandmari, Motihari, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran.
2. Tarkeshwar Tiwari, Son of Vrigunath Tiwari, Resident of Mohalla-New Chandmari, Motihari, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran.
3. Abhishek Tiwari, Son of Vrigunath Tiwari, Resident of Mohalla-New Chandmari, Motihari, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran.
4. Indu Devi, Daughter of Vrigunath Tiwari, Resident of Mohalla-New Chandmari, Motihari, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran.
5. Bindu Devi, Daughter of Vrigunath Tiwari, Resident of Mohalla-New Chandmari, Motihari, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran.
6. Nitu Devi, Dauthter of Vrigunath Tiwari, Resident of Mohalla-New Chandmari, Motihari, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran.
7. Babulal Upadhayay, S/O Ramasankar Upadhayay, Resident of village- Sarotar, Tola-Puraina, P.O.- Sarotar, via-Hussaini, Dumaria Ghat, District-East Champaran at Motihari.



8. Lal Bahadur Upadhyay, S/o Ramasankar Upadhyay, Resident of village-Sarotar, Tola-Puraina, P.O.- Sarotar, via-Hussaini, Dumaria Ghat, District-East Champaran at Motihari.
9. Rekha Kumari, wife of Sri Mahesh Pathak, daughter of Sri Krishna Upadhyay, Resident of village, P.O. and P.S.- Keshariya, District-East Champaran at Motihari.
10. Laxman Upadhyay, Son of Late Mathura Upadhyay, R/O village-Sarotar. Tola-Puraina, P.O.- Sarotar, via-Hussaini, P.S.-Dumaria Ghat, District- East Champaran at Motihari.
11. Jayant Kumar Upadhyay, Son of Late Harihar Upadhyay, Resident of village-Sarotar, Tola-Puraina, P.O.- Sarotar, via-Hussaini, P.S.-Dumaria Ghat, District- East Champaran at Motihari.
12. Sanjay Kumar Upadhyay, Son of Late Rama, Residents of village-Sarotar, Tola-Puraina, P.O.- Sarotar, via-Hussaini, P.S.-Dumaria Ghat, District- East Champaran at Motihari.
13. Smt. Lakapati Devi, wife of Charitar Mishra, daughter of Late Mathura Upadhyay, Resident of village and P.O.- Bakhari, P.S.-Kalyanpur, District-East Champaran at Motihari.
14. Surendra Upadhyay, Late Satyanarayan Upadhyay, Resident of village-Dilwarpur, P.S.-Keshariya, District- East Champaran at Motihari.
15. Birendra Upadhyay, Late Satyanarayan Upadhyay, Resident of village-Dilwarpur, P.S.-Keshariya, District- East Champaran at Motihari.
16. Rajendra Upadhyay, Late Satyanarayan Upadhyay, Resident of village-Dilwarpur, P.S.-Keshariya, District- East Champaran at Motihari.
17. Raj Kumar Prasad, Son of Rameshwar Prasad, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
18. Mukesh Prasad, Son of Rajeshwar Prasad, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
19. Binda Sah, Son of Late Devlal Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
20. Baldeo Sah, Son of Late Bhagwat Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
21. Harendra Sah, Son of Late Kedar Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
22. Birendra Sah, Son of Late Kedar Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
23. Surendra Sah, Son of Late Kedar Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.



24. Upi Sah, Son of Late Kedar Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
25. Chandrika Sah, Son of Late Nathuni Sah, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
26. Drupad Thakur, Son of Bharat Thakur, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
27. Indal Thakur, Son of Bharat Thakur, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
28. Mukti Thakur, Son of Bharat Thakur, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
29. Maya Kuar, W/o Late Raj Haran Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
30. Chandrama Kuar, W/o Late Harihar Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
31. Kishori Kuar, W/o Late Raja Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
32. Shiv Kumar Upadhyay, S/o Late Harihar Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
33. Manoj Kumar Upadhyay, S/o Late Raj Haran Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
34. Sumant Kumar Upadhyay, S/o Late Raja Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
35. Sunil Kumar Upadhyay, S/o Late Raja Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
36. Upendra Kumar Upadhyay, S/o Late Raja Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.
37. Akshya Kumar Upadhyay, S/o Late Raja Upadhyay, Resident of village- Sarotar, Tola-Puraina, P.O.-Sarotar, via-Hussaini, P.S.- Dumaria Ghat, District-East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parth Gaurav, Advocate



For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-07-2024 Heard the parties.

2. Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, during the course of the day.

3. The present application seeks restoration of C.W.J.C. No. 10413 of 2015, which was dismissed for non-prosecution on 06.03.2024.

4. For the reasons stated in the application, it is allowed.

5. Accordingly, C.W.J.C. No. 10413 of 2015 is restored to its original file.

(Sandeep Kumar, J)

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