

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2151 of 2021

In
Miscellaneous Appeal No.13 of 2016

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1. Rajeev Singh Son of Late Prabhu Narayan Singh, Resident of Mohalla - Jalalpur, P.S.- Rupaspur, District - Patna, at present residing of Plot No. 353/F-1, 2nd Floor Shalimar Garden Extn-1 Sahibabad, Ghaziabad, 201005.
 2. Ashok Kumar Singh Son of Late Prabhu Narayan Singh under the guardianship of his mother Amita Singh, Resident of Mohalla - Jalalpur, P.S.- Rupaspur, District - Patna, at present residing of Plot No. 353/F-1, 2nd Floor Shalimar Garden Extn-1 Sahibabad, Ghaziabad, 201005.
 3. Amita Singh, 2nd Wife of Late Prabhu Narayan Singh, Resident of Mohalla - Jalalpur, P.S.- Rupaspur, District - Patna, at present residing of Plot No. 353/F-1, 2nd Floor Shalimar Garden Extn-1 Sahibabad, Ghaziabad, 201005.

... .. Petitioner/s

Versus

1. Mossamat Nirmala Devi widow of Late Arvind Kumar, resident of 2nd South Lane West of Dr. B. Bhattacharya, West Patel Nagar, P.S. Shastri Nagar district Patna.
2. Ranbir Singh, Son of Late Jittu Lal Singh, resident of Village - Jalalpur, P.S. Danapur, District - Patna, at present Mohalla Boring, P.S. - Kotwali, District - Patna.
3. Surendra Singh, Son of Late Mittu Lal Singh, residing at Mohalla Mithapur B Area, P.S. Jakkanpur, District- Patna.
4. Subas Singh Son of Late Mittu Lal Singh, residing at Mohalla Mithapur B Area, P.S. Jakkanpur, District- Patna.
5. Devendra Singh, Son of Late Mittu Lal Singh, residing at Mohalla Mithapur B Area, P.S. Jakkanpur, District- Patna.
6. Paras Nath Singh, Son of Late Mittu Lal Singh, residing at Mohalla Mithapur B Area, P.S. Jakkanpur, District- Patna.
7. Veerendra Singh, Son of Late Mittu Lal Singh, residing at Mohalla Mithapur B Area, P.S. Jakkanpur, District- Patna.
8. Sanjay Singh, Son of Late Mittu Lal Singh, residing at Mohalla Mithapur B Area, P.S. Jakkanpur, District- Patna.
9. Smt. Veena Devi, Wife of Sri Surendra Singh, resident of Mahanpur, P.S.- Punpun, District- Patna.
10. Arjun Singh Son of Late Damari Singh, Resident of Mahalla - Jalalpur, P.S.- Danapur now Rupaspur, District - Patna.
11. Dr. Smt. Chabi Singh, Wife of Dr. Narendra Prasad Singh, resident of Village - Pandooi, P.S. and District - Jehanabad.
12. Dewanti Devi, Wife of Sri Dinanath Singh, resident of Village - Kothwan, P.O. and P.S.- Khagaul, District - Patna.
13. Satyendra Kumar Singh, Son of Late Prabhu Narayan Singh, resident of



Mohalla - Jalalpur, P.S. Danapur now Rupaspur, District - Patna.

14. Birendra Kumar Singh, Son of Late Prabhu Narayan Singh, resident of Mohalla - Jalalpur, P.S. Danapur now Rupaspur, District - Patna.
15. Arun Kumar Singh @ Santu Son of Kaushalya Devi, resident of Village-Ramganj, P.S.- Gaurichak, District - Patna.
16. Ram Babu Singh 2 Rajesh Kumar Singh Son of Kaushalya Devi, resident of Village- Ramganj, P.S.- Gaurichak, District - Patna.
17. Sunita Devi, daughter of Late Shakuntal Devi, C/o Ishwaranand Singh, Advocate, resident of near Sub Divisional Court, Block Road, P.S. Masaudhi, District - Patna.
18. Shilpi Gupta, Wife of Sri Sanjay Gupta and daughter of Late Prabhu Narayan Singh from 2nd wife Amita Singh and resident of Gorakhpur, P.S.- Mohidipur, District - Gorakhpur, Uttar Pradesh.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-07-2024 Heard the parties.

2. The present petition has been preferred for restoration of M.A. No. 13 of 2016 which stood dismissed on 22.11.2018.

3. The order passed on 22.11.2018 in M.A. No. 13 of 2016 read as follows:-

“Re.: I.A. No. 120 of 2016

Aforesaid I.A. has been filed by the appellants for condonation of delay of 17 days in preferring this appeal.

Issue notice to the respondents in limitation matter through both the processes i.e. ordinary process as well as Speed Post, for which



requisites must be filed within four weeks failing which this appeal shall stand rejected without further reference to a Bench.”

4. In view of the fact that the peremptory order has not been complied, the matter stands rejected on 20.12.2018.

5. Three years later, the present petition.

6. M.J.C. No. 2151 of 2021 is dismissed.

(Rajiv Roy, J)

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