

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2799 of 2023

In
FIRST APPEAL No.147 of 2017

=====

Munna Kumar Son of Late Ramdeo Prasad, Resident of Mohalla - Dighi
Talab, P.S. - Civil Lines, District – Gaya. Petitioner

Versus

Smt. Anjani Devi Wife of Raj Ballam Singh, Resident of Village- Yamuna,
P.S. - Iamganj, District – Gaya. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Anand Vardhan, Advocate
For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-08-2024 This is an application seeking restoration of FA No. 147 of
2017 which stood dismissed due to non-compliance of the order dated
02.02.2023.

2. Learned counsel for the petitioner submits that as per the
direction of this Court, the copy of the petition was to be served on
learned counsel for the respondent but because of the fault on the part
of the Advocate's Clerk, the copy could not be served and the receipt
showing service of copy was not placed on the record. In his
submissions, the error was inadvertent and a dismissal of the
application would result in hardship and injustice to the petitioner.

3. Having regard to the submissions noted hereinabove, this
Court directs restoration of FA No. 147 of 2017 to its original file.

4. This application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U			
---	--	--	--