IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.311 of 2018

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Manisha Kumari W/o Mr. Harendra Tiwary, D/o Mr. Jai Prakash Narayan Sharma R/o Road No. 1, Indrapuri, P.S. ShastriNagar, District Patna.

... ... Appellant/s

Versus

Harendra Tiwary S/o Mr. Indrajeet Tiwary R/o Mohalla - Khajpura, P.S. - Shastri Nagar, District Patna.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Awadhesh Kumar, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

20 30-09-2024 On 12.09.2024, the matter was adjourned at the request of the learned counsel for the appellant.

2. Learned counsel for the appellant is not prepared to address the matter. It is learnt that appellant has filed a petition during the course of the day that she has no source of income and she is entitle to litigation cost. The present M.A. No. 311 of 2018 is pending consideration for the last about six years. Therefore, the appellant or his counsel should have taken steps at appropriate stage in seeking litigation cost. The present matter is listed today at S. No. 54 and now time is 12.30 PM. The learned counsel for the appellant is seeking time to address the matter after lunch. We do not have any matter even after

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12.30PM. Despite requesting the appellant's counsel to commence reading plaint and grounds and further how the grounds are suppressed by evidences and in what manner court below brushed aside grounds and evidences, he is not prepared to address the matter. Therefore, the present M.A. No. 311 of 2018 stands dismissed for non prosecution.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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