

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.363 of 2025

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Rajmati Devi Wife of Gobardhan Bind Resident of village- Chandosh, Police
Station- Chand, District- Kaimur (Bhabua).

... .. Appellant/s

Versus

Gobardhan Bind Son of Late Timol Bind, Resident of Village- Chandosh,
P.S.- Chand, District- Kaimur (Bhabuha) at present resident of Ward no 09
P.O plus P.S. Bhabua, Distt. Kaimur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar Mishra, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
and
HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NANI TAGIA)

3 18-11-2025 In view of the defect pointed out by the registry vide

defect No. 16 stating that the proper remedy for the appellant in

the instant case seems to lie by way of filing a restoration

petition under Order – IX, rule – 9 of the C.P.C before the

learned Principal Judge, Family Court and hence, the appeal is

not maintainable.

2. Learned counsel for the appellant seeks permission

to withdraw the present appeal with a liberty to approach the

concerned Family Court.

3. Prayer is allowed.



4. As such, the present appeal is disposed off as
withdrawn with the liberty as prayed for.

(Nani Tagia, J)

(Sanjay Kumar Singh , J)

Siddharth
Sagar/-

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