

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1104 of 2016

In
CIVIL REVISION No.758 of 2010

-
-
1. Prabhat Kumar Mandal
 2. Subhash Kumar Sinha
 3. Santosh Kumar All sons of Late Ram Pravesh Rai All residents of Mohalla - Minapur, P.O. - Minapur, P.S. - Hajipur Town, District - Vaishali.
 4. Nilam Devi wife of Umesh Prasad Rai Resident of Mohalla - Dak Bunglow, P.O. Hajipur, P.S. - Hajipur Town, District - Vaishali.
 5. Indu Rai son of Sri Bidhan Prasad Yadav Resident of Village - Gokhula, P.S. - Bidupur, District - Vaishali.
 6. Bindu Prakash wife of Sri Amit Prakash Resident of R.I.T. Jamshedpur, P.S. Jamshedpur, District - Jamshedpur.
 7. Anju Kumari wife of Pawan Kumar Yadav Resident of Mohalla - Boring Road, P.S. S.K. Puri, District Patna.
 8. Smt. Raj Kumari Devi wife of Late Ram Prabesh Rai Resident of Mohalla - Minapur, P.O. - Minapur, P.S. Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

1. Asharfi Singh son of Late Munilal Singh Resident of Village - Sahdullahpur, P.S. - Ganga Bridge, P.O. Sahdullahpur, District - Vaishali.
2. Basudeo Singh son of Ram Chandra Singh Resident of Mohalla - Jadhua Bagh Tola, P.S. Town Hajipur, P.O. Hajipur, District Vaishali.
3. Akalu Rai Son of Name not known, Resident of Mohalla- Jadhua Bagh Tola, P.S.-Town Hajipur, P.O.-Hajipur, District-Vaishali .
4. Surendra Prasad Advocate son of name not known Resident of Village- Karanpur, P.S.- Ganga Bridge, P.O.-Jadhua, District-Vaishali.
5. Ram Prit Rai son of Name not know Resident of Mohalla - Bagtajkhan Yadav Chowk, P.S.- Hajipur, P.O.- Hajipur, District - Vaishali.
6. D.N.Rai Son of name not known Resident of Mohalla - S.D.O. Road, Hajipur, P.S.- Hajipur, District - Vaishali
7. Shambhu Prasad Rai Son of Name not known Resident of Mohalla - Minapur, P.O.- Minapur, P.S.- Hajipur, District - Vaishali.
8. Sachitanand Singh , Advocate , Hajipur, Vaishali.
9. Chandradip Rai son of name not known, resident of mohalla- Jadhua P.S. Hajipur, Dist. Vaishali
10. Musafir Rai son of name not known resident of moahalla Jadua, P.S. Town Hajipur Dist. Vaishali.
11. Ram Prasad Rai son of name not known resident of village Minapur, P.S Town Hajipur Dist. Vaishali
12. Rajdeo prasad son of name not known resident of vill. Karauna P.S.



Goraul, Dist. Vaishali

- 13 Rajendra Rai son of Ram Ashish Rai R/o village Rajopakar, P.S. Rajopakar,
Dist. Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Amar Nath Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

- 4 16-01-2025 Heard learned counsel for the petitioners and learned
counsel for the opposite parties.

2. This application has been filed for recall of the order dated 11-08-2015 passed by the Court as also for restoration of Civil Revision No.758 of 2010 which was dismissed for non- compliance of order dated 12-01-2015 passed by this Court.

3. Learned counsel for the petitioners submits that as opposite party nos. 1 and 2 were contesting the case and, therefore, counsel appearing on behalf of the petitioners could not properly understand the order dated 12-01-2015 about filing of requisites upon non appearing opposite parties and, therefore, the order was not complied due to mistake on the part of the petitioners' counsel.

4. Having regard to explanation furnished in the petition and the submissions made in support thereof, this Court



would find sufficient grounds for allowing the restoration petition. The same is allowed.

5. Let Civil Revision No.758 of 2010 be restored to its original file and number.

6. The application stands allowed.

7. Since the Civil Revision application was dismissed for non-compliance of order dated 12-01-2015 as against opposite party nos. 3 to 13, and as such, this Court had passed the order dated 11-08-2015, dismissing the Civil Revision application as incompetent after its dismissal against the opposite party nos. 3 to 13,.

8. In the facts and circumstances of the case, the order dated 11-08-2015 passed by the Court is hereby recalled.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

