

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.290 of 1995

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Rameshwarjee Prasad & Ors

.... Petitioner/s

Versus

Vijay Kumar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandreshwar Jha

For the Respondent/s : Mr. Suresh Pd.Bhakta

Mr. Binay Kant Mani Tripathi

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

13 20-07-2017 Nobody appears on behalf of the petitioners or the
opposite parties despite repeated calls.

It transpires from the order sheet and the office note that
direct notice was issued to the sole petitioner repeatedly in the
matter at the cost of the Registry.

From the averments made in the restoration petition it
appears that S.A. No. 517 of 1994 stood dismissed for non
compliance of the directions issued by order dated 16.1.1995 and
this restoration application has been filed thereafter. It further
transpires that the present restoration application had also stood
dismissed against the substituted heirs of deceased Opposite party
No. 4 due to non compliance of the order dated 2.9.2003. It does
not appear from the record that any step has been taken by the



petitioner thereafter for restoration of this restoration application as against the substituted heirs of Opposite party No. 4.

In the aforesaid view of the matter, proceeding further with this restoration application after its dismissal as against the substituted heirs of the opposite party No. 4 may result in inconsistent orders.

This restoration application is accordingly dismissed.

(V. Nath, J.)

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