

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.3533 of 2025**

**In**  
**SECOND APPEAL No.405 of 2018**

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1. Birendra Kumar,
  2. Kumar Upnishad, both son of Late Baldeo Yadv, resident of Mohalla- Indai, P.S.- Sheikhpura, District- Sheikhpura.
  3. Chinta Devi, wife of Sri Doman Gope, resident of Village- Arari, P.S.- Ariyari, District- Sheikhpura.
  4. Sheela Devi, wife of Brij Nandan Yadav, resident of Village Maina Chatar, P.S. Chandradeep, District-Jamui.

... .. Petitioner/s

Versus

1. Saiyad Monajir Ali, son of Late Majahirul Haque, resident of Village- Jamuwada, P.S. Sheikhpura, District Sheikhpura.
2. Saiyad Anwar Saleh, son of Saiyad Abu Saleh, resident of Village- Aksari, P.S. Sheikhpura, District Sheikhpura.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

4      06-02-2026                      Heard learned counsel for the petitioners.

2. This application has been filed for restoration of Second Appeal No.405 of 2018, which was dismissed for non-compliance of the peremptory order dated 07.04.2025.

3. Having regard to the facts and circumstances of the case and the averments made in the application, same is allowed and Second Appeal No.405 of 2018 is restored to its original file and number subject to removal of the defects as pointed out by the Stamp Reporter in the aforesaid Second Appeal within a



period of two weeks.

4. The office shall place the matter before the Bench after two weeks if the defects in the Second Appeal No.405 of 2018 are not removed by the learned counsel within the stipulated time.

5. The application stands allowed subject to aforesaid direction.

**(Khatim Reza, J)**

J. Alam/-

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