

IN THE HIGH COURT OF JUDICATURE AT PATNA
MJC No.927 of 2010
RABINDRA KUMAR DWIVEDI & ORS.
Versus
DHRUB JEE DUBEY & ORS.

02/ 31.03.2010

This petition has been filed for restoration of S.A.No.147 of 2002 which stood dismissed against respondent nos.3, 5, 6,7, 8, 10(a) to 10(f), 12, 14, 18, 19, 20, 22, 23, 29, 30, 31, 33, 34, 36, 37, 38, 43, 44, 46 and 53 due to part compliance of peremptory order of a Bench of this court dated 07.05.2008 by which two weeks time was allowed to the appellants-petitioners to take steps for fresh service of appeal notices upon the said respondents on their present correct address by ordinary process.

Considering the averments made by learned counsel for the petitioners and the statements made in the petition, it appears that genuine reasons have been shown which prevented the appellants-petitioners from complying the said order fully. Accordingly, this petition is allowed and S.A. No.147 of 2002 is restored to its original file and number.

It is stated that appeal notices against all the respondents except respondent nos.10 and 53 have been filed within the prescribed time and hence let them be accepted. However, this order will be subject to compliance of the aforesaid order dated 07.05.2008 with respect to respondent nos.10 and 53 by 02.04.2010.

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(S.N. Hussain, J.)