

Court No. - 19

Case :- SECOND APPEAL No. - 666 of 1988

Appellant :- Mithoo Yadav And Others

Respondent :- Smt.Durgawati And Another

Counsel for Appellant :- D.C.Mukarjee,Prasiddha Narayan Singh

Counsel for Respondent :- S.P.Shukla,Shyam Sunder Dubey

Hon'ble Jaspreet Singh,J.

This matter is listed under Chapter XII Rule 4.

This Court had passed the order dated 16.11.2023, which reads as under:-

"C.M.A. Nos.120396, 120398 & 120399 of 2019

The instant appeal is of the year 1988. Record indicates that on 20.11.2012, the appeal was dismissed as abated. After a lapse of seven years, an application for condonation of delay, setting aside abatement and substitution was moved. However, notices have not been issued.

Accordingly, let notice be issued to the respondents on these three applications, returnable at an early date.

Steps be taken both ways within a week from today.

In case, steps are not taken, matter shall be listed on the expiry of the aforesaid period under the appropriate heading.

In case, steps are so taken, office shall promptly issue the same and list immediately after service."

As per the office report dated 18.12.2023, learned counsel for the appellant has failed to take steps.

Since, the appeal is of the year 1988, accordingly, the appeal is dismissed under Chapter XII Rule 4 of the High Court Rules. Consigned to records.

Order Date :- 21.12.2023

Ashutosh Pandey