

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.752 of 1985

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Smt.Rukmini Devi & Ors

.... Appellant/s

Versus

Ramchandra Thakur & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. R.Chattha
Mr. Shyam Sundar Sinha 'Shyam
Mr. Krishna Kishore Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

12 15-10-2015

Perused the office note dated 14.10.2015.

According to the office note, the first appeal has been dismissed against respondent nos.1 to 15. From perusal of the memo of appeal, it appears that there were originally 15 respondents against whom the appeal has already been dismissed. The respondent nos.16 to 19 are the transposed respondents who were appellants in this first appeal and they were plaintiffs in the court below. The plaintiffs' suit has been dismissed on the contest made by the defendants-respondents. Now, therefore, in absence of the respondents against whom the appeal has been dismissed, the impugned judgment and decree neither can be set aside nor modified nor altered.

In my opinion, therefore, this first appeal is incompetent. Accordingly, this first appeal is dismissed.

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(Mungeshwar Sahoo, J)