

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.758 of 1986

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Hakim Syed Rasiuddin Nabi, son of late Syed Manzoorun Nabi, resident of
Mohalla Leheri, PS and Town Biharsharif, District Nalanda
..... (Plaintiff Appellant)

.... Appellants

Versus

1. Sant Lall, son of Late Lakhan Lal Kasera
2. Nankhu Lall, son of Late Lakhan Lal Kasera
3. Sunil Kumar, son of Late Lakhan Lal Kasera
4. Smt. Mira Devi, widow of Late Lakhan Lal Kasera
All resident of Mohalla Sherpur Pandit Gali, Chowk Bazar, PS & Town
Biharsharif, District Nalanda
.....(Defendants Respondents)

... Respondents

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Appearance :

For the Appellant/s : Mr. M.A.Shahabuddin
Mr. Abdus Salam

For the Respondent/s : Mr. Mahesh Prasad N.3
Mr. Sudhir Kumar

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

10 13-03-2015 Nobody appears on behalf of the appellant or the applicants,
who have filed the petition for substitution as heirs of the deceased
sole appellant.

Perused the office notes, from which it transpires that by
order dated 10.4.1998 it has been directed that the substitution
matter shall be considered after appearance of Nazma Khatroon,
daughter of the deceased sole appellant. For non compliance of the
order dated 7.7.2005 this appeal stood dismissed as against the
proposed heir Nazma Khatoon.

In the aforesaid facts and circumstances, it is transparent
that there is no appellant present in this appeal, which has also stood
dismissed as against one of the proposed heirs of the deceased

appellant. No step has been taken after dismissal of this appeal as against one of the proposed heirs in the year 2005. As such proceeding further with this appeal may result in inconsistent orders.

This appeal is therefore dismissed as incompetent.

(V. Nath, J.)

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