

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.163 of 1988

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Bibi Anawari Khatoon & Ors.

.... Appellant/s

Versus

Fakre Alam & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Farooque Moazzam
Mr. Ganesh Chandra Thakur

For the Respondent/s : Mr. Abu Haider

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

25 13-08-2015

Perused the office note dated 12.08.2015.

From perusal of the impugned judgment, it appears that the respondent Nos.4 to 7 had filed a joint contesting written statement. In fact, they are the purchasers from the defendant No.1. The suit filed by the plaintiff-appellant was dismissed. Therefore, the decree is in favour of the said respondent Nos.4 to 7 who had contested the suit.

In view of the office note dated 12.08.2015, the appeal has already been dismissed against the said respondent Nos.4 to 7 also who are the contesting respondents. Now, therefore, the judgment and decree passed in their favour has become now final.

In such circumstances, in their absence, the impugned judgment and decree neither can be set aside nor altered nor

varied.

Accordingly, in my opinion, this appeal has become
now incompetent, as such, it is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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