

IN THE HIGH COURT OF TRIPURA
AGARTALA

RSA.NO. 05 OF 2008

1) Sri Babul Patwari

(2) Sri Dilip Patwari

(3) Sri Bipul Patwari

(4) Sri Arun Patwari

(5) Sri Barun Patwari

(6) Sri Bikash Patwari

all are sons of late Jogesh Ch. Patwari

(7) Smti Khuku Patwari,(Biswas),
wife of late Makhan Biswas,
daughter of late Jogesh Ch. Patwari,
Sl. No. 1 to 7 are resident of Sukantapally, P.S.
Manubazar, Sabroom, South Tripura

(8) Smti Shikha Rani Patwari (Sen),
wife of Sri Swapan Ch. Sen,
daughter of late Jogesh Ch. Patwari,
Vill. Kalma, P.O. Maharipur,
P.S. Baikhora, Dist. South Tripura

(9) Smti Gouri Patwari,(Biswas),
wife of Sri Nani Gopal Biswas,
daughter of late Jogesh Ch. Patwari,
Paschim Pilak, P.S. Belonia,
Dist. South Tripura

(10) Sri Manik Ch. Patwari

(11) Sri Tapan Ch. Patwari

(12) Sri Ratan Ch. Patwari

Sl. No. 10 to 12 are sons of late Krishna Kr.
Patwari of Sukanta Pally, P.S. Manubazar, Sabroom,
South Tripura

(13) Smti Lilubala Patwari (Dutta),
wife of Sri Haradhan Datta,
daughter of late Krishna Kr. Patwari of
Battala, P.O. Bijohnagar,
P.S. Sabroom, Dist. South Tripura

(14) Smti Rinku Patwari,(Sarkar),
wife of Sri Mangal Sarkar,
daughter of late Krishna Kr. Patwari of
Vill. Kushanghat, P.O. & P.S. Baikhora,
Dist. South Tripura

(15) Smti Sanju Patwari

wife of late Swapan Ch. Patwari

(16) Sri Rajesh Patwari, (minor)

(17) Sri Pijush Patwari,(minor),

both sons of Swapan Patwari grand sons of Krishna Kr. Patwari of Sukanta Pally, P.S. Manubazar, Sabroom, South Tripura. Sl.No. 16 and 17 are represented by Sl. No. 15 Smt. Sanju Patwari, the mother and natural guradian

.....Defendant appellants

-V E R S U S-

- (1) Sri Lalit Ch. Patwari,
son of late Nibaran Ch. Patwari of
Vill. Sukantapally, P.S. Manubazar,
Sabroom, South Tripura
- (2) Smti Renubala Patwari,(Bhowmik)
wife of Sri Binod Behari Bhowmik of
Sukanta Pally, P.S. Manubazar,
Sabroom, South Tripura
- (3) Smti Pushpa Rani Majumder,
wife of Sri Monoranjan Majumder @
Mana Majumder, daughter of
Jogesh Ch. Patwari of Nagarokra,
P.O. & P.S. Hapania,
Dist. Nadia, West Tripura

.....Proforma respondents

**BEFORE
THE HON'BLE MR. JUSTICE S. TALAPATRA**

For the appellants : None
For the respondents : Mr. S.M. Chakraborty, Sr. Advocate
Date of hearing &
judgment & order : 10.06.2015
Whether fit for reporting : No

JUDGMENT & ORDER (ORAL)

Mr. S. M. Chakraborty, learned Sr. counsel
has submitted that it would appear from the order dated

25.11.2014 that the sole respondent, the plaintiff in the suit expired during the pendency of the appeal.

[2] From the order dated 16.12.2014 it would further appear that the appellant No. 1 has also expired. The other appellants were so far being represented by Mr. R. Dutta, learned counsel who had been permitted to retire from this case by the order dated 05.05.2015. For ensuring their representation this Court issued notice on the appellants either to appear in person or to engage lawyers duly instructed.

[3] It was cautioned that if none appeared for the appellants, law would take its own course. Notices were duly served but none appeared till today. So this Court is unaware of whether the cause survives or the remaining appellants would carry on with the appeal or not. It appears they are not interested in proceeding with the appeal. Moreover, the appeal has been abated. Hence the abatement be recorded by the Registry.

[4] In view of the above, this appeal is disposed of as abated.

JUDGE

A.Ghosh.