

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.480 of 1985

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Baikunth Singh @ Baikunth Shar

.... Appellant/s

Versus

Siaram Sharma

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bindeshwari Pd.Sinha
Mr. Prabhat Kr. Sinha

For the Respondent/s : Mr. Umesh Singh
Mr. Radhey Shyam

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

6 28-03-2016

Perused the office note dated 18.03.2016.

From perusal of the record, it appears that in the year 1996 itself, the sole appellant compromised with respondent Nos. 1 to 3 and 7 to 9 and a compromise application was filed, which would be evident from the office note dated 02.08.1996. Since nobody was appearing, notice was issued to the sole appellant. From perusal of the same, it appears that in spite of service of notice, nobody has appeared on behalf of the appellant.

From the above facts, it appears that since the parties have compromised and the appellant has now lost his interest in pursuing the appeal, it is futile appeal for his appearance. Accordingly, the first appeal is decreed in terms of the compromise application filed by the parties at flag-C. Compromise

application at flag-C shall form part of the decree. Appeal is
dismissed against respondent No.10.



(Mungeshwar Sahoo, J)