

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.448 of 1984

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Kailash Pd.Singh Arya

.... Appellant/s

Versus

Smt.Indra Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kripanath Yadav
Mr. B.N.Chaudhary
Mr. A. K Singh
For the Respondent/s : Mr. K.V.Narayan

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

11 01-07-2016 Perused the office note dated 30.06.2016.

It appears that for non-compliance of the peremptory order dated 24.07.2015, the First Appeal has been dismissed against the plaintiff-respondent No.1.

From perusal of the memo of appeal, I find that the suit has been decreed in favour of plaintiff-respondent No.1. The other respondents were defendant in the Court below. Now, when the First Appeal has been dismissed against the sole plaintiff-respondent No.1, the impugned judgment and decree neither can be altered nor modified nor can it be set aside. Now, therefore, this First Appeal has become incompetent to proceed.

Thus, this First Appeal is dismissed.

(Mungeshwar Sahoo, J)

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