

IN THE HIGH COURT OF JUDICATURE AT PATNA
First Appeal No.82 of 1985

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Ram Briksh Singh

.... Appellant/s

Versus

Smt. Lal Mani Devi

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Singh
Mr. Ashwini Kumar Ray

For the Respondent/s : Mr. Abhijit Sinha
Mr. S.C.Ghose
Mr. Mr.Alakh Kr Sinha

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

24 25-01-2016

Perused the office note dated 22.01.2016.

In view of the office note the limitation application failed by the appellant praying for condoning the delay in filing the appeal has already been dismissed against the respondent nos.1 and 2. Now, therefore the first appeal itself is dismissed against respondent nos.1 and 2 because the appeal is time barred.

From perusal of the memo of appeal, it appears that the respondent nos.1 and 2 were the plaintiffs in the court below in whose favour the final decree has been passed. Since the appeal has already been dismissed against the plaintiffs-respondent nos.1 and 2, the whole appeal has become incompetent to proceed. Accordingly, this first appeal itself is dismissed.

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(Mungeshwar Sahoo, J)