

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.728 of 1986

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Raj Kishore Singh

.... Appellant/s

Versus

Dulhi Ajai Baso Devi & ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar Singh -2
Mr. Amarnath Mishra

For the Respondent/s : Mr. A.K.Srivastava
Mr. B.K.N.Singh
Mr. Ashok Kr.Mishra

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

50 13-04-2016

Nobody appears on behalf of the parties.

Perused the office note.

This matter has been placed for consideration of competency of this appeal after its dismissal as against respondent Nos. 2(B), 3(A) to 3(C), 4, 5, 6, 8, 10, 12, 14(ii) to 14(v), 16(ii) to 16(iv), 17(i) to 17(v), 18, 19, 22, 25(i), 25(ii), 26 and 28 to 33.

From perusal of the memo of appeal and the impugned judgments it appears that the present appellant was defendant in the court below in the suit and had filed the appeal as appellant after the decree of the suit. The respondents against whom this appeal has been reported to have been dismissed were some of the plaintiffs as well as defendants in the suit.

After dismissal of this appeal as against those respondents proceeding further with this appeal may result in conflicting orders and inconsistent decrees.

In the result, this appeal is dismissed as incompetent.

(V. Nath, J.)

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