

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.510 of 2009

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Krishna Mohan Mandal, son of Late Baldeo Mandal, resident of Mohalla –
Babu Tola, Ward No. 8 Old 12, New Under Banka Municipality, District
Banka Plaintiff Appellant

.... Appellant

Versus

1. Raghunandan Prasad, son of Late Baldeo Mandal
 2. Binoy Kumar, son of Late Baldeo Mandal
 3. Smt. Shakuntala Devi, wife of Late Baldeo Mandal , all resident of
Mohalla – Babu Tola, Ward No. 8, New Under Banka Municipality,
District Banka Defendant 1st party Respondent 1st party
 4. Arbind Kumar, son of Late Awadhesh Kumar, resident of Village
Maniar, P.O. Nawada, P.S. Saraiya Hat, District Dumka
Defendant 2nd party respondent
- Respondents

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Appearance :

For the Appellant/s : Mr. Sharda Nand Mishra
Mr. Ranjan Kumar
Mr. Garov Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

13 04-05-2016 Nobody appears on behalf of the appellant.

From the order dated 17.3.2016 the fact has been brought to the notice of this Court that the sole appellant in this appeal has died and further respondent No. 1 has also died. The matter was adjourned on the joint prayer of the learned Counsel for the parties. Thereafter again on 12.4.2016 the fact has been taken into notice that no step for substitution has been taken with regard to the deceased sole appellant and this appeal was without any appellant on record. However, the matter was again adjourned for a week awaiting substitution with regard to the deceased sole appellant. The matter has been placed today with the office note that no step for substitution with regard to deceased sole appellant as well as

respondent No. 1 has been taken.

In view of the aforesaid facts, this appeal is without any
appellant on record and therefore is dismissed as incompetent.

Snkumar/-

(V. Nath, J.)

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