

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.87 of 2004

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Bhagwan Mahto & Ors			Appellant/s
Versus			
Bindeshwar Prasad & Ors			Respondent/s

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Appearance :
For the Appellant/s : Mr. Awadhesh Prasad Sinha
Mr. Kumar Mritunjay Narain
For the Respondent/s : Mr. Kumar Onkar Nath

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

16 17-05-2016 Nobody has appeared on behalf of the appellants.

Perused the office note, from which it transpires that the substitution petition (I.A. No. 1726 of 2016) filed for substitution of the heirs and legal representatives of the deceased respondent No. 8 Jashiya Devi has stood dismissed. From the memo of appeal it appears that respondent No. 8 was one of the defendant-appellants in the court below. As no one has appeared on behalf of the appellants to show that this appeal can proceed even in absence of the heirs and legal representatives of the deceased respondent No. 8, proceeding further with this appeal may result in inconsistent orders and conflicting decrees.

In the result, this appeal is dismissed as incompetent.

(V. Nath, J.)

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