

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.80 of 2005

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1(i). Punne Singh @ Pramod Kumar Singh, son of Bajrangi Singh
1(ii). Bajrangi Singh, son of Late Chabbi Nath Singh, both residents of
Village Ekhlaspur, P.S. Bhabhua, District Kaimur

.... Appellants

Versus

1. Daya Devi, wife of Triyogi Narayan Singh, resident of Village and
P.O.Ekhlaspur, P.S. Bhabhua, District Kaimur
2. Sima Devi, wife of Bhardwaj Singh, residednt of Village Dughra, P.S.
Mohania, District Kaimur (Bhabua)

.... Respondents

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Appearance :

For the Appellant/s : Mr. Sangita Kumari
Mr. Gopal Sharan
Mr. Rewati Kant Raman
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

12 31-08-2016

Nobody appears on behalf of the appellants.

Perused the office note, from which it transpires that the
substitution petition (I.A. No. 2559 of 2016) has stood dismissed for
default. The said substitution petition was filed praying for
substitution of the heirs and legal representatives of the deceased
appellant No. 1(ii) and deceased respondent No. 1.

After dismissal of the aforesaid substitution petition this
appeal now cannot proceed in absence of the heirs and legal
representatives of the deceased appellant No. 1(ii) as well as
respondent No. 1, as the same may result in inconsistent order and
conflicting decree.

As such, this appeal is dismissed as incompetent.

(V. Nath, J.)

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