

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.646 of 2009

Mostt. Rekha Devi

.... Appellant/s

Versus

Sri Rajesh Thakur & Ors.

.... Respondent/s

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

11 03-10-2016

Today, no one appears for the parties. On earlier occasion also no one appeared for the parties.

Office has pointed out that the memo of appeal stood dismissed against respondent no.1 as far back as on 29.04.2014. The question would be whether the appeal as a whole becomes incompetent.

In our view, as the judgment is as against the appellant and in favour of the opposite parties, it cannot operate against one and the reverse is against others in appeal which would only lead to conflicting orders.

Accordingly, this appeal is dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Trivedi/-

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