

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.63 of 2002

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Dukh Narain Tanti, son of Late Munshi Tanti, resident of Mohalla Bari Ashiqpur, P.O. and P.S. Jamalpur, at present P.S. East Colony, Jamalpur, District Munger Plaintiff Appellant

.... Appellant

Versus

1. Dip Narain Tanti, son of Late Chamru Tanti, resident of Mohalla Bari Ashiqpur, P.O. and P.S. Jamalpur, at present P.S. East Colony, Jamalpur, District Munger Defendant 1st party ... Respondent
...Respondent 1st party

2. Krishnandan Tanti, son of Late Munshi Tanti

3. Kamla Devi, wife of Late Mahendra Tanti

4. Ranjeet Kumar

5. Ajay Kumar

6. Prakash Kumar, sons of Late Mahendra Tanti

7. Rani Kumari

8. Anita Kumari, daughters of late Mahendra Tanti

9. Ambika Tanti, son of Late Munshi Tanti, respondents 2 to 9 are residents of Mohalla Bari Ashiqpur, P.O. and P.S. Jamalpur, at present P.S. East Colony, Jamalpur, District Munger Defendant 2nd party
..... Respondent 2nd party

.... Respondents

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Appearance :

For the Appellant/s : Mr. Harshwardhan Sahay

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

14 09-03-2016 Nobody appears on behalf of the appellant.

It appears from the order dated 16.2.2016 that the incompetency matter was adjourned for two weeks. There is a office report from which it transpires that this appeal has stood dismissed as against respondent Nos. 1 to 4 and 6 to 9 in default. It further appears from the records that the present appellant was the plaintiff in the suit and the present appeal has been filed against the judgment and decree of affirmance dismissing the suit.

After dismissal of this appeal as against respondent Nos. 1 to 4 and 6 to 9 for default, 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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