

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Second Appeal No.67 of 2005**

- =====
1. Most. Kamla Gupta Wife Of Late Bal Kishore Prasad Gupta Resident Of Village Katoria, P.S. Katoria, District- Bhagalpur, Now Banka
  2. Ajay Kumar Gupta Son Of Late Bal Kishore Prasad Gupta Resident Of Village Katoria, P.S. Katoria, District- Bhagalpur, Now Banka
  3. Arun Kumar Gupta Son Of Late Bal Kishore Prasad Gupta Resident Of Village Katoria, P.S. Katoria, District- Bhagalpur, Now Banka
  4. Abhay Kumar Gupta Son Of Late Bal Kishore Prasad Gupta Resident Of Village Katoria, P.S. Katoria, District- Bhagalpur, Now Banka

.... .... Appellant/s

Versus

1. Smt.Sudami Devi Daughter Of Late Ramu Mahto And Wife Of Sri Kameshwar Yadav Resident Of Vill.- Kathon, P.S. Katoria, District- Bhagalpur, Now Banka
2. Smt. Pachia Devi Daughter Of Late Ketu Yadav Resident Of Village Pathardih, P.S. Banka, District- Bhagalpur Now Banka
3. Maru Mahton Son Of Late Indo Mahton Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
4. Karu Mahton Son Of Late Indo Mahton Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
5. Bisheshwar Mahto Son Of Late Ramu Mahton Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
6. Sotwa Mahto, Minor Son Of Sri Ramu Mahton Through His Father And Natural Guardian Sri Ramu Mahto Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
7. Ganesh Mahton Son Of Sri Maru Mahto Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
8. Lodi Mahto, Minor Son Of And Through His Father Natural Guardian Maru Mahto Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
9. Nunu Mahto Minor Son Of And Through His Father Natural Guardian Karu Mahton Resident Of Village Rajwara, P.S. Katoria, District Bhagalpur Now Banka
10. Sri Diwakar Prasad, Advocate, G.A.L. At And P.S. And District- Banka

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Ajay Kumar  
Mr. Mritunjay Kumar

For the Respondent/s : Mr. Null

=====

**CORAM: HONOURABLE MR. JUSTICE V. NATH**  
**ORAL ORDER**

appellants who has submitted that the respondent no.2 as well as respondent no.4 are necessary parties to this appeal.

As such, after the dismissal of this appeal as against the respondent nos. 2 and 4 proceeding further with this appeal may result in inconsistent orders or conflicting decrees.

In result this appeal is dismissed as incompetent.

**(V. Nath, J)**

Nitesh/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|