

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.351 of 1988

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Ram Janam Singh through L.Rs & Ors.

.... Appellants

Versus

Ram Brikash Mahto through L.Rs & Ors.

.... Respondents

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Appearance :

For the Appellant/s : Mr.
Mr. Abbas Haider

For the Respondent/s : Mr. A.B.Bihari Srivastava
Mr. Anjani Kr. Sinha
Mr. Atul
Mr. Akhauri
Mr. Bipin Bihari
Mr. Anjani Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

13 07-09-2017

No one appears on behalf of the appellants.

2. Since the appellants did not comply the peremptory order of this Court dated 02.05.2016, whereby the appellants were directed to file requisites for sending notices on the newly substituted heirs of the deceased respondent no.1. The appeal stood dismissed against the substituted heirs of the deceased respondent no.1.

3. Now the file has been placed for necessary order that whether the appeal will abate as against the newly substituted heirs of the deceased respondent no.1 only or it will abate as a whole.

4. This appeal is against the judgment and



decree of reversal of the trial court judgment. Apparently first appellate court’s judgment is in favour of the respondent no.1 and other respondents. Hence no order can be passed in absence of the heirs and legal representatives of the deceased respondent no.1.

5. Accordingly, this appeal stands abated as a whole.

(Birendra Kumar, J)

Nitesh/-

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