

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Second Appeal No.599 of 1991**

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Janki Sah

.... .... Appellant/s

Versus

Shri Mahto & Ors

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Triloki Nath Maitin  
Mr. Sudhir Kumar Bijpuria  
Mr. Ranjeet Narayan  
For the Respondent/s : Mr. Ram Prasad Bhagat  
Mr. Srikrishna Ranjan

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

13    29-08-2017                      No one appears on behalf of the appellant.

Two weeks peremptory time was allowed on the prayer of learned counsel for the appellant to comply the order dated 08.04.2017 passed by the Lawazima Board.

Order has not been complied. Hence, the appeal stood dismissed against respondent nos. 6 to 8 on 18.08.2017.

Now the office has placed notes whether the appeal would abate as a whole or only against respondent nos. 6 to 8.

This is plaintiffs appeal against the judgment of reversal passed by the lower appellate court in favour of respondent nos. 6 to 8 who were defendant first party in the suit.

Hence, in absence of respondent nos. 6 to 8, the appeal cannot be heard nor effective judgment can be pronounced.

Hence, the appeal would abate as a whole.

**(Birendra Kumar, J)**

Kundan/-

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