

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No. 232 of 1992

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Abdul Samad Ansari & Ors

.... Appellant/s

Versus

Most. Jubeda Khatoon & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Radhey Shyam Prasad

For the Respondent/s : Mr. M.Nasrul Hoda Khan
Mr. Abdus Manan Khan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

18 21-08-2017

No one appears on behalf of the appellants.

Respondent no. 1 died leaving behind certain respondents including respondent no. 2 to 4. By order dated 26.07.2017, two weeks peremptory time was allowed to the appellants to comply the order of the Lawazima Board dated 15.07.2016 whereby the appellants were directed to take steps for fresh service of appeal notice on respondent nos. 1(a) and 1(b). The order has not been complied. Hence, the appeal has been dismissed against respondent nos. 1(a) and 1(b).

Now the office has placed for necessary order whether the appeal would abate as a whole or only against respondent nos. 1(a) and 1(b).

Since some of the legal heirs are already on the record, hence, the whole appeal would not abate due to non-



compliance of the order against respondent nos. 1(a) and 1(b).

However, this appeal stands dismissed for default for non-compliance of the courts order.

(Birendra Kumar, J)

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