

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No. 279 of 1996

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Lakhan Mahto @ Lakhan Pd. & Ors

.... Appellant/s

Versus

Awadhesh Mahto & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajiv Ranjan Sinha
Mr. Uma Shankar Prasad Singh
For the Respondent/s : Mr. Naresh Dass
Mr. R.K.P.Singh
Mr. Bal Bhushan Choudhary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

12 04-09-2017

No one appears on behalf of the appellants.

Learned counsel for the respondent no. 1 is appearing.

The office note dated 01.09.2017 reveals that the appeal stood dismissed for non-compliance of peremptory order against respondent nos. 2, 3 and 4 on 18.08.2017.

Now the Registry has placed the file for necessary order as to whether this appeal would abate as a whole or only against respondent nos. 2, 3 and 4.

This appeal is against the judgment and decree of reversal of the judgment and decree of the trial court. Apparently, the judgment of the lower appellate court was in favour of the respondents. Hence, this appeal cannot be disposed of without hearing all the respondents.

Accordingly, the appeal stands abated as a whole.

(Birendra Kumar, J)

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