

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Appeal No.236 of 2014**

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The New India Assurance Comapny Ltd., through the Manager (Legal Dept.), Regional Office, B.S.F.C. Building, Fraser Road, Patna (for the New India Ass. Co. Ltd., Branch Office at Jha Bhawan, Mirzapur Chowk, Darbhanga).

.... .... Appellant/s

Versus

1. Usha Devi Wife of Narayan Mandal.
2. Jagdamba Devi Wife of Late Bitu Mandal Both resident of Village-Shankar Rohar Bithauli, P.O.-Bithauli, P.S.-Baheri, District-Darbhangha.
3. Phuleshwar Jha Son of Late Ramautar Jha Resident of Village-Nawada, P.S.-Bahera, District-Darbhangha (owner of Tractor No.BR-07A-8598 and trailor No.-BR-76-0779).
4. Kapleshwar Yadav Son of Chhotook Yadav @ Chhota Yadav Resident of Village-Chanmana P.S.-Baheri, District-Darbhangha (Driver of Tractor No.BR-07A-8598).

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : None.

For the Respondent/s :

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**  
**ORAL ORDER**

15    20-11-2017                      No one turned up on behalf of the appellant to advance the argument in the appeal.

Learned counsel for the respondent is present.

From perusal of record it appears that on last occasion also no one had turned up on behalf of the appellant in the case. Thus, it transpires that the appellant is not interested to prosecute this appeal. Accordingly, this miscellaneous appeal is dismissed for non-prosecution.

**(Prakash Chandra Jaiswal, J)**

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