

THE HON'BLE SMT. JUSTICE ANIS

SECOND APPEAL No. 171 OF 2004

JUDGMENT:

Learned counsel for the appellants is not present. No representation is made.

By order dated 23.02.2017 this court while observing that since the respondent Nos. 3 and 4 are endorsed to be not necessary parties and since the appeal against second respondent was dismissed for default and inasmuch the first respondent has died in the year 2014, posted the Second Appeal under the caption *for dismissal* as nothing survives in the Second Appeal.

Today, though the Second Appeal is listed under the caption *for dismissal*, there is no representation on behalf of the appellants. Consequently, the Second Appeal is dismissed. No order as to costs. Miscellaneous Petition, if any, pending in this Second Appeal shall stand closed.

27.02.2017
MAS

(ANIS, J)

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Dated: 27.02.2017

MAS