

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.497 of 1989

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Dharichan Choudhary & Ors

.... Appellant/s

Versus

State & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashutosh Ranjan Pandey, Advocate

For the Respondent/s : Mr. Anish Chandra Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

21 06-03-2018

I.A. No.6540 of 2017 has been filed under Section 151

of the Code of Civil Procedure by respondent No.27 stating therein that appellant No.2 Chand Govind Chaudhary, appellant No.3 Sudama Chaudhary, appellant No.4 Mahendra Choudhary and appellant No.5 Ram Safal Chaudhary are already dead and appellant No.1, who is the only remaining appellant, had not taken any step for substitution of legal heirs of the deceased appellants. Further submission is that respondent Nos.17, 23 and 24 have also died and their legal heirs have not been substituted upto now. Hence, the appeal be dismissed as abated.

Finding substance in the submission aforesaid, the appeal stands dismissed as abated.

(Birendra Kumar, J)

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