

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.273 of 1997

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Mujataba Khan

.... Appellant/s

Versus

Ibris Khan & Ors

.... Respondent/s

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Appearance :

For the Appellant :

For the Respondents :

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

14 08-01-2018

No one appears on behalf of the appellant.

The appeal has already been dismissed against deceased respondent no. 1, 3 and 4 due to non-compliance of the peremptory order of this Court.

The suit was for declaration of title and recovery of possession filed by the plaintiff-appellant. The plaintiff-appellant lost the case before both the courts below. Since effective remedy and right to sue does not survive in absence of the aforesaid respondent no. 1, 3 and 4, this appeal would abate as a whole.

Accordingly, it stands dismissed.

(Birendra Kumar, J)

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