

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.537 of 1998

SANTOSH RAI and ANR

... .. Appellant/s

Versus

SUKHDEO PRASAD and ORS

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sukumar Sinha
For the Respondent/s	:	Mr.Manojeshwar Prasad Sinha
		Mr. Rajendra Kishore Prasad
		Mr. Madhukar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

18 31-07-2019 Heard both sides.

By order dated 03.05.2019, the appellants were directed to file requisition for issuance of appeal notice on respondent No.4 till 28.06.2019 but the learned counsel for the appellants did not file requisition for issuance of appeal notice on respondent No.4. Consequently, the appeal stood dismissed against respondent No.4. No substitution petition of deceased respondent No.4 was filed.

Learned counsel for the deceased respondent No.1 submits that deceased respondent No.1 died in the year 2010 and even after lapse of nine years, no substitution petition is filed. Deceased respondent No.1 was the sole contesting respondent.

In this view of the fact, this appeal is dismissed as a whole.

Saurabh/-

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(Prabhat Kumar Jha, J)

