

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.33 of 2002

ANANDI PRASAD YADAV and ORS

... .. Appellant/s

Versus

SMT.BHUSIA DEVI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shivendra Narayan Sinha
For the Respondent/s : Mr.Praveen Kumar Agrawal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

9 01-04-2019 This appeal is placed under the heading ‘For Orders (On Office Notes)’ whether this appeal will proceed in absence of respondents no.1(i) and 1(ii) as this appeal is dismissed against respondents no.1(i) and 1(ii) due to non-compliance of the peremptory order dated 11.02.2019.

The plaintiff filed the suit for partition and to carve out her one half share in the property mentioned in the plaint. The suit was dismissed. The first appellate court allowed the appeal. The defendants filed this second appeal. The plaintiffs sought same relief against all the respondents. If the appeal is dismissed against some of the respondents due to non-compliance of the peremptory order, to avoid the contradictory judgments, the appeal shall stand dismissed against other respondents.

Accordingly, the appeal as a whole is dismissed.

(Prabhat Kumar Jha, J)

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