

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.63 of 2009

SMT.PREMLATA GUPTA and ANR	 Appellant/s
Versus	
SANJIT KUMAR GUPTA and ORS	 Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ashok Kumar
For the Respondent/s	:	Mr.Anil Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

9 17-09-2019 This appeal has already been dismissed against respondent nos.1, 5, 6 and legal heirs of respondent no.2 due to non-compliance of peremptory order dated 21.03.2017.

The plaintiff filed the suit for declaration of title over the disputed land and for declaration that the gift deed dated 03.05.1999 executed by Shanti Devi in favour of Premlata is illegal, void and not acted upon. The suit was decreed. Respondent no.1 is the plaintiff. The appeal has already been dismissed against respondent nos.1, 5, 6 and legal heirs of respondent no.2. Therefore, the judgment is inseparable and in order to avoid contradictory judgment, the appeal as a whole has to be dismissed.

Accordingly, this second appeal as a whole is dismissed.

(Prabhat Kumar Jha, J)

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