

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.212 of 2004

SHIV SHANKAR MANGHI

... .. Appellant/s

Versus

NAGINA CHAUDHARY and ORS

... .. Respondent/s

Appearance :

For the Appellant/s : None
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

12 01-05-2019 Nobody appears on behalf of the appellant.

The present appeal has been dismissed for default on 29.03.2019 against respondents no.15(a), 15(b), 15(d), 15(f) and heirs of deceased respondent no.15(c). The office submitted the records for consideration whether the appeal will survive against other respondents?

The plaintiff filed the suit for declaration of title and confirmation of possession or in the alternative recovery of possession of the plaintiff over the suit land bearing S.P. No.1073, area 5 Katha 13 Dhurs. The suit was dismissed. The plaintiff filed Title Appeal No.164 of 1985 and the appeal was also dismissed against which the plaintiff-appellant filed the second appeal. Same and similar relief against all the respondents have been sought for and if the appeal stood dismissed against some of the respondents, the appeal as a



whole has to be dismissed to avoid the conflicting judgments.

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

(Prabhat Kumar Jha, J)

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