

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**SECOND APPEAL No.26 of 2005**

RAM TRITH CHOUDHARY and ORS

... .. Appellant/s

Versus

THE STATE OF BIHAR and ORS

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Sanjeev Kumar

For the Respondent/s : Mr.Sunil Kumar Singh-2

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

8      18-06-2019                      The appeal has already been dismissed against respondent Nos.9, 10, 19, 20 and respondent Nos.5 to 8, 11 to 17 and 21 to 25. The office placed the case on office notes that whether the appeal will abate as a whole or will survive against the remaining respondents.

The appellants filed the suit for declaration of title for the lands mentioned in the schedule of the plaint. The title of plaintiff Nos.1 to 3 was declared over Plot No.3277 area 47 decimals. The title appeal was dismissed. Therefore, the judgment is inseparable and in this view of the fact, if the appeal has already been dismissed against respondent Nos.5 to 8, 9, 10, 11 to 17, 19, 20, 21 to 25, the appeal as a whole shall abate.

Accordingly, this Second Appeal stands dismissed as a whole.

**(Prabhat Kumar Jha, J)**

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