

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.39 of 2010

BRIJ NATH SAH
Versus
HARI CHARAN SAH and ORS.

... .. Appellant/s

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Deo Raj Kumar Prasad
For the Respondent/s : Mr.Md.Ataul Haque

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

15 05-11-2019 The second appeal has already been dismissed against the heirs of deceased respondent nos.1, 2 and 3. Office has placed this record whether this appeal will proceed further in absence of the heirs of deceased respondent nos.1, 2 and 3.

The plaintiff is respondent no.1. Respondent nos.2 and 3 are defendants 2nd party. The plaintiff filed the suit claiming that he is entitled to get 1/5th share in Schedule I property and ½ share in Schedule II property. The suit was decreed. The defendant 1st party is the appellant. Since the second appeal has already been dismissed against the heirs of respondent nos.1, 2 and 3, the appeal has to be dismissed as a whole. Accordingly, the second appeal as a whole is dismissed.

(Prabhat Kumar Jha, J)

Harish/-

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