

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.147 of 2007

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PARMESHWAR SINGH and ORS

... .. Appellant/s

Versus

RITA DEVI and ORS

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Hans Raj

For the Respondent/s : Mr.Rabindra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

14 06-09-2019 This second appeal has already been dismissed on 24.07.2019 against respondent Nos.3, 4 and legal heirs of deceased respondent No.2 due to non-compliance of the peremptory order.

 The appellants are defendants. The plaintiff-respondent filed the suit for declaration that deed of gift executed by Bihari Mahto on 22.10.1984 is forged, invalid, fraudulent and void ab initio. The suit was decreed.

 In view of the fact that since the second appeal against respondent Nos.3, 4 and legal heirs of deceased respondent No.2 has already been dismissed and the judgment is inseparable, thus, in order to avoid the contradictory judgment, the appeal as a whole has to be dismissed.

 Accordingly, this second appeal as a whole is dismissed.

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(Prabhat Kumar Jha, J)

